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POWERS AND FUNCTIONS OF THE JAPANESE DIET[1]

KENNETH COLEGROVE
Northwestern University

I. TWO SCHOOLS OF THOUGHT

The place of the Diet in the Japanese constitutional system is a subject of some controversy. Jurists of the old school, typified by the teachings of Hozumi, tend to minimize the representative character of the legislature and to magnify the limitations of its authority, while the new school, led by Minobe, stresses the possibility of parliamentary development.

The basic difference between the two schools is found in their respective attitudes toward the theory of separation of powers. Hozumi holds that the *kokutai*, or fundamental nature of the Japanese state, is unique.[2] The Emperor is not merely an organ of the state. He *is* the state. He retains the *tochi-ken*, the authority of his ancestors, or sovereignty in the modern sense. The *tochi-ken* is supreme, perfect, and indivisible. The exercise of this authority, however, takes a three-fold form, namely, as *gyosei-ken*, or the executive power, *rippo-ken*, or the legislative power, the *shiho-ken*, or the judicial power. The constitution thus distinguishes between the legislative, the executive, and the judicial powers, and provides for assistance in the exercise of these powers by means of various organs of government, namely, the ministers, the Privy Council, the Diet, and the courts. But this separation exists only

[1] The aid of the Honorable Ikuo Oyama, former professor of political science in Waseda University and member of the House of Representatives, in the preparation of this article is gratefully acknowledged. (The article will be concluded in the February issue. *Man. Ed.*)

[2] Yatsuka Hozumi, *Kempo Teiyo*, or "Principles of the Constitution" (Tokyo, 1910), Vol. I, pp. 52–222; Vol. II, pp. 493–524, 603–629. Dr. Hozumi was professor of constitutional law from 1891 to 1912 and dean of the law faculty of the Imperial University of Tokyo for fourteen years.

under the constitution, while the authority to establish and maintain the constitution is one and undivided and resides in the Emperor himself. In the words of Uyesugi, the brilliant disciple of Hozumi, "the Japanese political system recognizes a separation of powers, but all of the organs exercising these powers are subordinate to the Emperor."[3]

This theory depends, of course, upon a strict interpretation of the constitution. Indeed, the old school built its citadel upon very literal construction of the fourth and fifth articles. Article IV reads: "The Emperor is head of the empire, combining in himself the rights of sovereignty, and exercises them according to the provisions of the present constitution." Article V provides: "The Emperor exercises the legislative power with the consent of the Imperial Diet." While granting that the Diet exists for the purpose of ascertaining public opinion, Hozumi holds that this body is in no sense to be considered as the representative of the Emperor's subjects. To view the Diet in the relationship of agent of the people is abhorrent to Japanese fundamental law. The Diet is merely an organ of discussion whose duty is to act as a check upon the ministers. Hozumi thus condemns any "friendliness" between the cabinet and the Diet, any close working of the two branches of government, or any approach to a parliamentary system.

In sharp contrast to this doctrine, the new school does not admit uniqueness in the *kokutai*.[4] So far as the constitution is concerned, it is well known that large parts of it were borrowed from Prussia, Saxony, and Belgium; and in none of its clauses does this document imply that the fundamental nature of the Japanese state

[3] Shinkichi Uyesugi, *Kempo Jutsugi*, or "Commentaries on the Constitution" (Tokyo, 1927), p. 226. Dr. Uyesugi was, from 1903 until his death in 1925, a member of the faculty of law of the Imperial University of Tokyo. Among the numerous jurists who hold with Hozumi and Uyesugi that the Emperor is not an organ of the state, but rather that he is identical with the state, mention should be made of Sumu Shimizu, judge of the Court of Administrative Litigation. See his *Kempo Hen*, or "Principles of the Constitution" (Tokyo, 1923), pp. 557–570.

[4] Compare Tatshukichi Minobe, *Kempo oyobi Kempo-shi Kenkyu*, or "Studies in Constitutional History and Law" (Tokyo, 1908), pp. 3–5; *Saikin Kempo Ron*, or "Recent Developments in Constitutional Law" (Tokyo, 1927), pp. 302–314. Dr. Minobe was graduated from the Imperial University of Tokyo in 1897, studied in German, French, and English universities from 1899 to 1901, and since 1903 has served as professor of administrative law and constitutional law on the faculty of law of the Imperial University of Tokyo, and as dean of this faculty from 1925 to 1927.

differs from that of any other modern state. While admitting the unity of sovereignty, Minobe considers the Emperor an organ of the state. Thus he insists upon a liberal interpretation of Article V. The Diet is a legislative organ; it is an independent organ, with authority derived from the constitution and from the constitution alone. "The Diet is not an agent of the Emperor. It derives none of its powers from the prerogative of the Throne. Ministers of state as well as the courts hold their competence from the Emperor, and are agents of the imperial will. The Diet is the only organ which is not an office of the Emperor. At the same time, the Diet is a representative organ, reflecting the opinion of the people in giving consent to legislation."[5] More than this, the liberal school does not neglect the competence of the Diet outside the legislative field. The Diet intervenes in administration; it has considerable means for supervision, and even control, of the ministers.

The adherents of both schools will agree that the Diet is primarily a legislative organ, established to assist the Emperor in the process of lawmaking, and that it has other functions, chiefly of a supervisory character. Its powers may be classified as: (1) governance of the houses, (2) constituent powers, (3) legislative powers, (4) financial powers, and (5) supervision of administration.

II. GOVERNANCE OF THE HOUSES

All legislative bodies possess some authority as to their own organization and procedure. In most modern states, this competence is conferred upon the chambers by the written constitution. In Japan, however, according to Articles XXXIV and XXXV of the constitution, the organization of the House of Peers is regulated by an imperial ordinance, the *Kizokuin-rei*, or House of Peers Ordinance, and the organization of the House of Representatives, by the *Giin-ho*, or Law of the Houses.[6] The *Kizokuin-rei*, promulgated on February 11, 1889, simultaneously with the constitution, does not lay down new principles, but merely eluci-

[5] *Kempo Seigi*, or "Commentaries on the Constitution" (7th print of 1st ed., Tokyo, 1931), p. 424. Compare his *Kempo Jutsugi*, or "Commentaries on the Constitution" (Tokyo, 1932), pp. 351, 396–401.

[6] *Genko Horei Shuran*, or "Compilation of Laws and Ordinances in Force" (Tokyo, 1927), Vol. I, bk. ii, pp. 1–3. For an English translation of the *Kizokuin-rei* and the *Giin-ho* as promulgated in 1889, see Hirobumi Ito, *Commentaries on the Constitution of the Empire of Japan* (Trans. by Miyoji Ito, 1889), pp. 168–194.

dates what is implied in the constitution.[7] The *Giin-ho*, likewise promulgated in 1889, provides for the convocation, opening, suspension, and prorogation of the Diet, and for the dissolution of the House of Representatives. It also defines the powers and duties of the president and vice-president of each house and lays down the procedure for the houses. Since the *Giin-ho* is a statute, it can be amended by legislative enactment. Subsequent to 1889, there have been five such amendments.

The powers of the two houses are equal, with the possible exception of a superiority accruing to the House of Representatives through the right to receive and consider the budget before the upper chamber. The House of Peers, on the other hand, has the special function of advising the Emperor respecting the rules that regulate the privileges of the nobility and of voting upon amendments to the *Kizokuin-rei*.[8]

III. CONSTITUENT POWERS

The House of Peers and the House of Representatives have a share in the procedure to be followed in amending the constitution. Article LXXIII reads: "When it has become necessary in the future to amend the provisions of the present constitution, a project to that effect shall be submitted to the Imperial Diet by imperial order." In such a case, neither house shall open the debate unless at least two-thirds of the members are present. The passage of an amendment requires a majority vote. It is conspicuously evident that the Diet lacks all authority to initiate amendments. In keeping with the doctrine that the constitution is the personal grant of the Emperor, the power to introduce alterations in the fundamental law is retained as a part of the imperial prerogative. This theory of the amending process was expounded by Prince Ito in the following words:

> Why is the draft of a proposed amendment of the constitution to be submitted to the Diet by an imperial order, while the projects of ordinary laws have to be laid before the Diet by the Government or initiated by the Diet itself? Because the right of making amendments to the constitution must belong to the Emperor himself, as he is the sole author of it. If, it may be asked, the power of amendment is vested in the Emperor,

[7] Compare Hozumi, *Kempo Teiyo* (1910), Vol. II, p. 446; Minobe, *Kempo Jutsugi* (1932), pp. 322–323; and his *Gendai Kensei Hyoron*, or "Studies in Recent Constitutional Government" (Tokyo, 1930), pp. 143–147.

[8] See Articles VIII and XIII of the *Kizokuin-rei*.

why is the matter to be submitted to the Diet at all? For the reason that the Emperor's great desire is that a great law, when once established, shall be obeyed by the Imperial Family as well as by his subjects, and that it shall not be changed by the arbitrary will of the Imperial Family.[9]

Never has the constitution of 1889 been amended. There appears small prospect of amendments in the immediate future. But the language and spirit of this remarkable document is sufficiently broad to admit of tremendous progress towards autocracy on one side, or towards democracy and parliamentary government on the other side, without adding or subtracting a single clause.

IV. LEGISLATIVE POWERS: LAW-MAKING

"The Emperor exercises the legislative power with the consent of the Imperial Diet," according to Article V of the constitution. At the same time, Article XXXVII provides that "every law requires the consent of the Imperial Diet." It is thus apparent that the Diet is called upon to play a part in the legislative process. The tendency of the old school of jurists has been to belittle this rôle, holding that no similarity is to be found in the British concept of legislation by the King in his Council in his Parliament. In asserting the oneness of the *tochi-ken*, Hozumi becomes emphatic:

> Let us be warned, the Emperor does not exercise the legislative power in conjunction with the Diet. It is the Emperor who legislates. Deliberation and consent constitute a different idea than deliberation and decision. The Emperor is free to accept or reject the deliberations of the Diet. And in many cases it is permissible for the Emperor even to enact in the form of an ordinance the very project that the Diet has rejected.[10]

As expressed by Uyesugi: "The Emperor alone legislates. All that the Diet does is to express its opinion upon proposals for the convenience of the Emperor. In no way does it share the legislative power with the Throne."[11] The constitutional provisions for the completion of the legislative process lend weight to this theory. Article VI provides: "The Emperor gives sanction to laws, and orders them to be promulgated and executed." Imperial sanction

[9] Hirobumi Ito, *Teikoku Kempo Koshitsu Tempan Gikai*, or "Commentaries on the Constitution of the Japanese Empire" (Tokyo, 1889), pp. 134–135. The English translation authorized by Prince Ito is *Commentaries on the Constitution of the Empire of Japan by Count Hirobumi Ito* (Trans. by Miyoji Ito, Tokyo, 1889). There are three editions of this translation. Citations in this article are to the first edition.

[10] Hozumi, *Kempo Teiyo* (1910), pp. 797–798. Compare Shimizu, *Kempo Hen* (1923), p. 1172.

[11] *Kempo Jutsugi* (1927), p. 509.

is interpreted as consummating the act of law-making, while promulgation produces the binding force upon the subjects.

Due partly to loyalty to the Throne and partly to German influence, Japanese jurists, and particularly jurists of the old school, give less attention to the *Commentaries* of Prince Ito (to whom Emperor Meiji entrusted the drafting of the constitution) than American jurists pay to the *Federalist* and other writings of the fathers of the American constitution. In the conflict of views over the participation of the Diet in legislation, however, some support for the view of the old school can be found in the pronouncement of Ito, who said: "The Diet takes part in legislation, but has no share in the sovereign power; it has power to deliberate upon laws but not to determine them."[12] In Prince Ito's mind, the imperial sanction is much more than the veto as found in European constitutions. It is not merely a check exercised by the executive upon the legislature, nor is it the product of principles which aim at confining the head of the state within the executive power, or at least at allowing him only a part of the legislative power. In the Japanese system, the laws emanate at the command of the Emperor. As expressed by Prince Ito: "It is sanction that makes a law."

The jurists of the new school rebuff the doctrine that the legislative power rests solely in the hands of the Emperor.[13] They repudiate the theory that the Diet determines the content of the law and that the imperial sanction alone confers the binding effect upon law. According to this view, the oneness of *tochi-ken* is not incompatible with multiplicity of organs. Legislative consent is as necessary for the establishment of a statute as is imperial sanction. Minobe insists that the legislative power of the Diet divides into two elements, namely: (1) the *kyosan-ken*, or participation and consent of the Diet to statutes, and (2) the *shodaku-ken*, or approval of the Diet to emergency ordinances.[14] Thus, "the sanction

[12] *Commentaries* (1889), p. 62. In commenting on Article XXXVII, Prince Ito said: "The law is a rule of conduct emanating from the sovereign power of the state, to which it is necessary to obtain the consent of the Diet."

[13] Minobe, *Kempo Satsuyo*, or "Principles of the Constitution" (Tokyo, 1932), pp. 474–491; and his *Kempo Seigi* (1931), pp. 215–218. Compare his earlier articles, "Sanction of Law," in *Hogaku Kyokai Zashi* (March and December, 1905), Vol. XXII, nos. ii and xii; and *Kempo oyobi Kempo-shi Kenkyu* (Tokyo, 1908), pp. 129–171. Compare Mitsue Ichimura, *Teikoku Kempo Ron*, or "Imperial Constitutional Law" (Tokyo, 1926), pp. 728–740. Dr. Ichimura, formerly professor of law at the Imperial University of Kyoto, was also mayor of Kyoto.

[14] Minobe, *Kempo Satsuyo* (1932), pp. 396–401.

of the Emperor does not exhaust legislative power; a law is established by both the participation and consent of the Diet and the sanction of the Throne."[15]

The entire scope of law in the Japanese system includes: (1) the constitution and amendments, (2) the Imperial Household Law and amendments, (3) the Imperial Ordinance on the House of Peers and amendments, (4) laws passed by the Diet and sanctioned by the Emperor, (5) imperial ordinances, (6) military ordinances, and (7) administrative ordinances. To this list might be added treaty-law, or *joyakuho*, although speaking strictly, *joyakuho* can be considered only as an independent source of the *hoki*, or rules to be established by a statute or ordinance.

Legislation, or *horei*, in the Japanese system, includes both statute (*horitzu*) and ordinance (*meirei*). The distinction as to content is vague. Taxes and the rights of subjects, as defined in the second chapter of the constitution, can be modified only by *horitzu*. A statute can be changed only by another statute. At the same time, there are certain items, such as the affairs of the Imperial Household, that are specifically placed outside of the *horitzu* and declared to be within the royal prerogative, while other items, such as the convoking of the Diet and the proroguing and dissolving of the House of Representatives, are impliedly beyond the scope of the *horitzu*. Between these categories lies a large field of legislation which may be effected either by statute or by ordinance. Administrative rules for the carrying out of laws follow continental European practice, while at the same time the police and military ordinance power is exceedingly wide, covering all subjects for maintaining peace and order and for promoting the health and welfare of the people. With a keen appreciation of practical politics, Prince Ito observed that what comes within the sphere of law and what within the sphere of ordinance differ according to the political development of each country.[16] At this point, however, we are concerned with the participation of the Diet in law-making, leaving to succeeding pages a study of its participation in the ordinance power.

Both chambers have equal authority to vote upon projects of law submitted by the Government, and both chambers have au-

[15] *Kempo oyobi Kempo-shi Kenkyu* (1908), p. 142.
[16] *Commentaries* (1889), p. 69.

thority to initiate bills. A bill which has been rejected by either one or both of the houses may not be introduced again during the same session. In practice, the bulk of legislation is the product of the labors of the cabinet. Under the *Giin-ho*, or Law of the Houses, the procedure in both chambers gives marked precedence to Government bills—projects of law drafted and approved by the ministers, and in most cases previously submitted to the Privy Council.[17] The cabinet is entitled to have its bills placed first on the orders of the day, and it controls in a large measure the time of both houses. Most Government bills are first introduced in the House of Representatives, although, in order to gain time, some bills not of major importance are introduced in the upper house.

Private members may bring forward their favorite projects. In the House of Peers, for the past fifteen years, not a single private member's bill has been introduced, but in the lower house, private members frequently introduce bills. Many of these bills expire in committee, a few are rejected, and still fewer reach the House of Peers. In the past fifteen sessions, 106 of these bills passed the lower house, and barely a dozen were enacted by the Peers. The constitutional limitation upon the length of the sessions and the precedence given to Government bills in the *Giin-ho* is sufficient cause for this dearth of private members' legislation. Private members' bills that reach the Peers come along so late in the session that there is almost no time for their consideration. As a picture of legislative activity, take the fiftieth session of the Diet, the session that witnessed the passage of the Manhood Suffrage Act of 1925. The statistics of this session show that, excluding the budget and supplementary budgets, the Government introduced 54 bills, of which all but four passed both houses. At the same time, 42 private members' bills were introduced; six passed the lower house, and four passed both houses.

The number of bills enacted by the Diet is small in comparison with the voluminous output of the Congress of the United States, and bears testimony to the fact that the greater part of the legislation of Japan is found in the ordinances rather than in statutory enactment.

IV. LEGISLATIVE POWERS: ORDINANCES

Ordinances, in Japanese law, come under the Emperor's jurisdiction (*taiken jiko*). Nevertheless, they are not entirely free from the

[17] *Genko Horei Shuran* (1927), Vol. I, bk. ii, p. 3.

influence of the Diet. As classified by the jurists, the *chokurei*, or imperial ordinances, fall into three categories, namely: (1) the prerogative ordinance, or *taiken meirei*, (2) the emergency imperial ordinance, or *kinkyu meirei*, and (3) the administrative ordinance, or *gyosei meirei*.[18] In the oft-quoted words of Hozumi, the executive ordinance is independent of law, the emergency ordinance takes the place of law, and the administrative ordinance is subordinate to law.

Prerogative ordinances include those issued exclusively under the Emperor's prerogative, such as the *Koshitsu Tempan*, or the Imperial House Law, and the *Kwazoku-rei*, or Peerage Ordinance.[19] Most jurists hold that in only one instance do prerogative ordinances come within the legislative competence. The *Kizokuin-rei*, or the House of Peers Ordinance, provides that the upper chamber shall vote upon rules laid down in the *Kwazoku-rei* whenever consulted thereupon by the Emperor.[20] It should be added that according to practice the *gunrei*, or military ordinances, issued by virtue of the *tosuiken*, or supreme command of the army and navy, are exempt from all ministerial as well as legislative control.[21]

The second class, the *kinkyu meirei*, or the emergency imperial ordinance, has its foundation in Article VIII of the constitution, which reads:

> The Emperor, in consequence of an urgent necessity to maintain public safety or to avert public calamities, issues, when the Imperial Diet is not sitting, imperial ordinances in the place of law. Such imperial ordinances are to be laid before the Imperial Diet at its next session, and when the Diet does not approve the said ordinances, the Government shall declare them to be invalid for the future.

These *horitzu ni kawaruno meirei*, or "ordinances to take the place of law," are not unlike the *Notverordnung* of German law. By their issuance, the Government exercises the legislative power without the necessity of obtaining immediately the participation and con-

[18] For classification of ordinances, see Hozumi, *Kempo Teiyo* (1910), Vol. II, pp. 706–762; Uyesugi, *Kempo Jutsugi* (1927), pp. 518–530; Shimizu, *Kempo Hen* (1923), pp. 1182–1232; Ichimura, *Teikoku Kempo Ron* (1926), pp. 791–815; Minobe, *Kempo Satsuyo* (1932), pp. 507–554, and his *Kempo Seigi* (1931), pp. 199–242.

[19] *Genko Horei Shuran* (1927), Vol. I, bk. ii, pp. 17–29; and Vol. II, bk. xiv, pp. 453–454.

[20] Article VIII.

[21] Minobe, *Kempo Satsuyo* (1932), pp. 321–332. Compare Sakuzo Yoshino, *Niju Seifu to Iaku Joso*, or "Dual Government and the Supreme Command" (Tokyo, 1922), pp. 18–30.

sent of the Diet. But, inasmuch as they are equivalent to law, these ordinances require the subsequent approval of the Diet.

Prince Ito indicated that the emergency ordinance is to be employed only on extraordinary occasions, "when the country is threatened with danger, or when the nation is visited with famine, plague, or other calamity." Determination of the existence of a national crisis is within the province of the Government. The Privy Council can block the cabinet's decision. But the Diet is powerless. Undoubtedly abuses have occurred. In June, 1928, barely a month after the close of the Diet, the cabinet of General Tanaka laid before the Privy Council an amendment to the Peace Preservation Law, adding capital punishment to the penalties for disseminating "dangerous thoughts," as Japanese officials insist on calling communism. The national emergency which was alleged to exist at this time was surely no greater than in May when the Diet was in session. Charges were widely made to the effect that the Government deliberately sought to steal a march on the legislature.[22] Nevertheless, the Privy Council, after not a little deliberation and negotiation, gave its approval, and the amendment was proclaimed as law. The next long session of the Diet did not meet until January, 1929; and at this time, of course, the legislature had the power to vote down the emergency ordinance. But the advantage gained by the Government through a *fait accompli* is tremendous. In this instance, the Tanaka cabinet overbore the opposition in both chambers and secured approval, although a belated approval, of its drastic legislation.[23]

Emergency ordinances may actually amend or repeal existing laws. They have every effect of statutes. If an ordinance is subsequently approved by the Diet, it continues to possess the force of law without the necessity of promulgation.[24] But the refusal of the Diet to give its approbation to such an ordinance requires the Government to promulgate its invalidity, for it is only by such an act that the people are free from their obligation of obedience thereto. Finally, the repeal of a *kinkyu meirei* by another ordinance automatically revives all laws suspended by the emergency ordinance.

The Government itself may repeal an emergency ordinance,

[22] *Tokyo Asahi*, June 12, 1928, p. 3.
[23] *Kwampo gogai*, March 6 and 21, 1929, pp. 396, 555.
[24] Ito, *Commentaries* (1889), p. 16.

even before the next session of the Diet, by means of a second ordinance. In this case, the jurists of the old school hold that the Government need not present the original ordinance to the consideration of the legislature.[25] The new school, however, insists that all these ordinances (dead or alive) should be submitted to the Diet. Opportunity is thus afforded for criticism of the Government which promoted such legislation. In the trenchant words of Minobe:

> Why is the Government required to submit an emergency ordinance to the Diet for its consent *ex post facto?* Simply to make clear the responsibility of the ministry in this matter by allowing the Diet to weigh the propriety or impropriety of a legislative act which would otherwise of right fall within the scope of the Diet's competence, and which nevertheless has been performed by the Government through its arbitrary judgment, supposedly as an emergency measure forced upon it by the nature of the circumstances.[26]

Practice, however, is in conformity with the theory of the old school. A precedent was established in the second ministry of Prince Ito when, in August, 1894, during the Sino-Japanese war, the censorship of the press, which had been imposed by an emergency ordinance, was repealed by another ordinance without its submission to the Diet.[27] The practice has continued. For instance, in 1923, the Yamamoto ministry withheld three rescinded emergency ordinances from the Diet despite criticism for this procedure in the House of Peers.[28]

The new school of constitutional interpretation also objects to the treatment of the emergency ordinance as a bill which is first introduced in one house and then, if passed, reaches the other house. It insists that the ordinance should be introduced simultaneously in both houses.[29] Otherwise, if the ordinance is rejected

[25] Uyesugi, *Kempo Jutsugi* (1927), p. 528; Hozumi, *Kempo Teiyo* (1910), Vol. II, p. 734; Shimizu, *Kempo Hen* (1923), pp. 1197–1198.

[26] *Kempo Seigi* (1931), p. 208. Compare Shimizu, "The Emergency Ordinance," in *Kokka Gakkai Zasshi* (Oct. 1928), Vol. 42, no. x, pp. 40–54.

[27] On February 19, 1897, in a written reply to an interpellation, Kabayama (home minister) and Okuma (foreign minister) referred to the episode of 1894, and declared that the Government was not compelled to submit to the Diet any emergency ordinance that had been revoked. *Dai Nippon Teikoku Gikai-shi*, Vol. IV, p. 397.

[28] See the reply of Dr. Matsumoto, director of the Legislative Bureau, to Dr. Yoku Egi. *Dai Nippon Teikoku Gikai-shi*, Vol. XIV, pp. 1352–1353 (Dec. 14, 1923). Compare *Japan Chronicle*, Dec. 20, 1923, p. 869.

[29] Minobe, *Kempo Seigi* (1931), pp. 212–213. Compare Ichimura, *Teikoku Kempo Ron* (1926), p. 809.

in one house, the Government's action fails to come under the examination of the other house. Withal, the old school, in defending the prevailing practice, tends to belittle the means for parliamentary criticism of the cabinet, while the new school seeks to exploit every device for the assertion of ministerial responsibility.

The third kind of ordinance, the *gyosei meirei*, is authorized by the ninth article of the constitution, which provides: "The Emperor issues, or causes to be issued, the ordinances necessary for the carrying out of the laws, or for the maintenance of the public peace and order, and for the promotion of the welfare of the subjects. But no ordinance shall in any way alter any of the existing laws." This article defines what Minobe calls the *fuku rippo-ken*, or subordinate legislative power—the second important exception to the principle that the legislative power is exercised with the consent of the Diet.[30] The administrative ordinance, thus defined, is similar to the ordinances mentioned in Article 17 of the German constitution of 1871 and in Article 48 of the constitution of 1919. There are two types of this subordinate legislation. The first includes *shikko meirei*, or executive orders—ordinances for the purpose of carrying out the provisions of statutes. The second includes *keisatsu meirei*, or police orders, namely, rules issued for the maintenance of public safety, health, and general welfare. Under the Japanese system, these ordinances do not require the approval of the Diet. Unlike the statutory rules in Great Britain, they are not laid on the table of the lower house for the scrutiny of members.

V. LEGISLATIVE POWERS: TREATIES

The Diet has no constitutional part in the process of treaty-making. In unequivocal language, Article XIII of the constitution declares: "The Emperor declares war, makes peace, and concludes treaties." Jurists are agreed that treaty-making is among the exclusive powers of the Throne. But they are not agreed as to the question of whether or not treaties are self-executing. Hozumi views a treaty (*joyaku*) exclusively as a contract (*yakusoku*) between states.[31] Such a contract places an obligation upon the Japa-

[30] *Kempo Seigi* (1931), pp. 224–226.

[31] Hozumi, *Kempo Teiyo* (1910), Vol. II, pp. 763–968; and his "Some Questions Regarding Treaties," in *Hogaku Kyokai Zasshi*, Vol. XXII, no. x, pp. 1353–1366. Compare Uyesugi, *Kempo Jutsugi* (1927), pp. 622–634; Ichimura, *Teikoku Kempo Ron* (1926), pp. 866–882; Saburo Yamada, "Domestic Effect of Treaties," in *Kokka Gakkai Zasshi* (July 1905), Vol. XIX, no. vii, pp. 134–144.

nese state to do or not to do certain things, but the treaty, even after promulgation, is not *horei*, or law, and the people owe no obedience to it. Its provisions become binding on the people only when incorporated in a *horitzu* or in a *meirei*. Since a treaty is not law, it may determine legislative matters (*rippo jiko*) as well as executive subjects, including even taxation.

The new school, as represented by Minobe, holds that treaties are self-executing unless specifically calling for legislative enactments.[32] Upon promulgation, a treaty becomes domestic law. Treaty-making, as a legislative process, is an exception to the general rule that the legislative power is exercised with the participation and consent of the Diet. Treaty-law, or *joyakuho*, is superior to other *horei*. It may modify statutes and ordinances. But, being an international agreement which may not be abrogated by the unilateral will of one state, it cannot in turn be modified by other laws.

Constitutional practice agrees with the views of Minobe. The question as to the internal effect of treaties was raised in the House of Representatives as early as 1894 by the adoption of a *representation* demanding that all treaties affecting legislative matters or taxation be submitted to the Diet for its consent.[33] On this occasion, the House was dissolved. Without exception down to the present day, the Government has continued the practice of referring treaties only to the Privy Council for advice as to ratification.[34] The Government even neglects to lay before the Diet the draft recommendations for national legislation adopted by the International Labor Conferences as required under Article 405 of the Treaty of Versailles. The imperial law officers have held that the Privy Council is the "competent authority" to receive both the labor conventions and the draft recommendations, although jurists

[32] Minobe, *Kempo Seigi* (1931), pp. 263–281; *Kempo Satsuyo* (1932), pp. 545–554; and his "Domestic Effect of Treaties," in *Kokka Gakki Zasshi* (July, 1905), Vol. XIX, no. vii; also *Kempo oyobi Kempo-shi Kenkyu* (1908), pp. 173–201. Compare Shimizu, *Kempo Hen* (1923), pp. 1254–1270; Oda, *Principes de Droit Administratif du Japon* (1928), pp. 10–11; Sakutaro Tachi, "Effect of Treaties," in *Kokka Gakkai Zasshi* (Dec., 1917), Vol. XXXI, no. xii, pp. 1803–1825; Shunosuke Inada, "Treaty-making Power," in *Kokka Gakki Zasshi* (April, 1923), Vol. XXXVII, no. iv, pp. 516–533.

[33] *Dai Nippon Teikoku Gikai-shi*, Vol. II, pp. 1767–1769 (June 1, 1894).

[34] See Kenneth Colegrove, "The Treaty-Making Power in Japan," in *American Journal of International Law* (April, 1931), Vol. XXV, pp. 284–285.

and political leaders have urged with unanswerable logic that draft recommendations fall within the legislative scope.[35]

While the Diet has little or no constitutional control over foreign policy, the minister of foreign affairs annually makes a formal speech before each house on the subject of external relations. To this minister, in both chambers, interpellations are addressed, and the foreign policies of the Government are criticised in following speeches. Indeed, at times, diplomatic issues overshadow domestic questions. Parties, even in the House of Peers, attempt to influence the Government, as witness the resolution proposed by the Kenkyukai and Koseikai in 1923 demanding a "firm diplomatic policy" in China.[36] The lower house almost reached the status of a genuine parliamentary body in 1929 during the interpellations regarding the "positive policy" of General Tanaka, and again in 1930 when Premier Hamaguchi replied to questions on the London Naval Treaty, only to drop back to subserviency after the invasion of Manchuria in 1931.

[35] See a speech by Mitsusuke Yonekubo in *Conférence Internationale du Travail, 1928* (Geneva, 1928), Vol. I, p. 177; and speeches by Suyehiro Nishio and Bunji Suzuki in the *Kwampo gogai*, April 27, 1928, p. 32, and Feb. 20, 1929, pp. 369–370.

[36] *Dai Nippon Teikoku Gikai-shi*, Vol. XIV, pp. 159–163 (Feb. 19, 1923). Compare the *Japan Chronicle*, March 1, 1923, pp. 292–293.

SPECIAL INTERESTS AND THE INTERSTATE COMMERCE COMMISSION, II*

E. PENDLETON HERRING
Harvard University

II. GROUP PRESSURES—INFLUENCE AND INTERFERENCE

In the juristic sphere, the Interstate Commerce Commission is charged with enforcing and interpreting certain statutes, hearing and weighing evidence, and rendering formal judgment when the facts have been ascertained. But the recognized judicial character of this work does not render the Commission immune from efforts to influence its judgments. The struggles of contending economic groups and political influences give rise to actions intolerable in a court of law and to repeated efforts to obtain favorable decisions through the use of propaganda. The Commission performs its duties in surroundings far from neutral, and must cope with pressures too powerful to be exorcised by simple exhortation or condemnation. The problem is one of canalizing influences which cannot be eliminated, to the end that they may increase rather than decrease the efficiency of the administrative process and that the public interest may not be submerged in the undertow of sectional and political cross-currents.

In any consideration of these pressures upon the Commission, its relations with Congress stand out as of foremost importance. Congress forms a natural expansion-chamber for the energies of the many interests concerned. Congress cannot be condemned in general fashion for "political rate-making," since questions of national policy are wrapped up in the very texture of the transportation problem and freight rates may be a matter that the legislative body must consider under certain conditions. The right of Congress to direct the Commission along a general and agreed line of policy can scarcely be challenged. But the question of propriety can certainly be raised when congressmen seek indirectly to influence the Commission's decision in particular cases. The delimitation of the proper spheres of competence is a nice question.

Under our geographical system of representation, sectional interests find so direct a channel for expression that no member of Congress can altogether avoid the responsibility of considering the de-

* The first instalment of this article appeared in the October issue.

mands of the great shippers in his region in a fight for favorable rates. The aim of the Interstate Commerce Commission may be a calm and judicial adjustment among the conflicting transport interests, but the congressman has the job of obtaining full consideration for the views of his constituents, and time and again he may find himself impelled to inquire into the stand taken by the Commission. Conflict thus arises from the very nature of the component elements, and quite different springs of action become evident.[19] The one thinks in terms of class demands and protests as a spur to action; the other in terms of discovering a "just and reasonable adjustment of rates.

This difference in point of view appears time and again. A survey of the legislative proposals during the past ten years shows clearly a tendency on the part of congressmen to seek to influence the Commission in favor of special classes or regions. The following list indicates the type and number of proposals made in Congress to effect rate-making for the benefit of economic groups:

Reducing rates for conventions (1)
Eliminating or restricting Pullman surcharge (45)
Reducing rates for relatives of war veterans going to visit them at hospitals (3)
Providing mileage books for commercial travelers (5)
Prohibiting extra-fare trains (2)
Prohibiting all-Pullman trains (3)
Reduced rates for agricultural laborers (1)
Reduced rates for army and navy men on furlough (5)
Reduced rates for war veterans seeking employment (1)
Reduced rates for members of veterans' organizations attending national encampments (1)
Reduced rates for Civil War veterans (1)
Providing for free passage of guides accompanying blind persons (3)
Reduced rates for school children making trips to Washington (1)

[19] The following interchange between a senator and a commissioner over the suspension of rates for wheat shipments to the Pacific coast illustrates the point:

Senator Wheeler: But the real reason why it was done, the fundamental reason why it was done, was because of the fact of the protest of the farmers of the Northwest . . . and the Interstate Commerce Commission took the view of the farmers.

Mr. Woodlock: Quite true, and the farmers were right.

Senator Wheeler: And they did it because of the fact that they wanted to help the farmer.

Mr. Woodlock: The farmer was right.

Senator Wheeler: Of course he was right.

Mr. Woodlock: The rate was right.

Nomination of Thomas F. Woodlock. Hearings before Committee on Interstate Commerce, 69th Cong., 1st Sess., 1926, p. 64.

Providing for adjustment of coal rates (2)
Reducing grain rates (5)
Reducing agricultural rates (3)
Readjusting all freight rates (7)
Reducing freight rates for famine relief (1)
Adjustment of rates on fisheries products (3)
Readjusting baggage tariffs (1)
Providing for separate valuation of terminal facilities (1)
Providing that rates may not exceed those existing when the Transportation Act of 1920 was passed (4)
Providing that rates on domestic commodities shall not exceed those on imported ones (1)

Political rate-making for geographical groups:

Prohibiting port differentials (6)
Defining "reasonably compensatory rates" under long and short haul clause (1)
Providing that railroads may not make long haul rates less than short haul rates in order to meet Panama Canal competition (31)
Providing that long and short haul clause shall not apply to joint land-water rates on exports and imports (3)

Political rate-making for governmental groups:

Reducing the rates for members of state railroad commissions on official business (3)
Reducing rates for Canadian railways commissioners (1)

Miscellaneous:

Opening all I.C.C. records for public inspection (1)
Providing for adjustment of railroad loss and damage claims (1)
Conferring upon interested parties in I.C.C. cases the right to sue (1)
Prohibiting specifically the consolidation of the Northern Pacific and Great Northern Railways (1)
Creating a Federal Transportation Board to promote and develop a national system of transportation (1).

The greater proportion of these legislative proposals warrant the assumption that selfish interests seek to procure favors through the houses of Congress, and that but few of these would prove compatible with the permanent statutory basis of the Interstate Commerce Commission's authority.

It is noteworthy that the pull of interest as measured by the number of bills introduced is very strong in two instances: eliminating or restricting the Pullman surcharge, proposed forty-five times, and forbidding railroads to make long haul rates lower than short haul rates in order to meet Panama Canal competition, proposed thirty-one times. Fortunately, the Commission itself has been the source of most of its amendatory acts. As Professor Sharfman notes, "few of the significant legislative enactments of the past

four decades have emerged without the imprint of its potent influence."[20]

In certain cases, however, a disposition on the part of Congress to intervene in matters already entrusted to the Commission has appeared. As the result of pressure by groups of commercial travellers, Congress directed the I.C.C. to issue interchangeable mileage books at just and reasonable rates—an order later voided by the Supreme Court.[21] Of much greater importance was the Hoch-Smith Resolution, which directed the Commission to consider the conditions prevailing in different industries in adjusting freight rates, and specifically put forward the case of agriculture. This measure was clearly passed in response to the clamors of the farmers. In the words of Representative Tincher of Kansas: "This bill will authorize and practically direct the reduction of freight rates on agricultural products;" though Representative Shallenberger of Nebraska stated that it was "simply a gesture to placate the farmer."[22] This meddling added nothing to the Commission's powers, and its instructions were not sufficiently explicit to be effective strategy for the farm interests. As a basis for the reconstitution of rate principles, the measure imposed a task so enormous and confused that, as one commissioner said, "it could not be performed in 100 years by 100 Solomons." But the passage of this resolution complicated the work of the Commission and paved the way for many similar attempts to influence rates for the benefit of particular groups and classes.

Nor is it solely through legislation that pressure upon the Commission is attempted. Threats to investigate, petitions and memorials from unions, business organizations, farm and livestock associations, add their weight to the tug of war. Members arise in fiery denunciation of the Commission, read letters of criticism, and reprint editorials and magazine articles in the *Record;* and these attacks range all the way from threats against the continued existence of the Commission to indictments of particular decisions. The following list indicates the nature of some of the threats made

[20] *The Interstate Commerce Commission*, vol. I, p. 200.

[21] 42 Stat. 827, amending Sec. 22 of the Interstate Commerce Act, pars. (2) and (3). Cf. Sharfman, *op. cit.*, p. 227.

[22] *A Legislative History of the Hoch-Smith Resolution*, by Examiner Warren H. Wagner of the I.C.C. (1925).

in Congress during the past decade and the number of times each was made:

Decreasing powers of I.C.C.:

Restriction of rate-making power to prescription of maximum rates (5)
Declaring that the I.C.C. has no power over intrastate commerce [constitutional amendment] (1)
Prohibiting I.C.C. authority over railroad extensions or spurs entirely within a state (9)
Prohibiting I.C.C. authority over Hawaiian commerce (2)
Requiring that the I.C.C. accept, as controlling, valuations made by state regulatory bodies (1)
Transferring authority over agricultural freight rates to the Farm Board (1)
Restricting or repealing the I.C.C's authority to fix rates on basis of fair return on valuation (18)
Prohibiting rate-making authority from eliminating competitive rate-making by railroads in certain cases (2)
Prohibiting the I.C.C. from changing rates made by a state regulatory authority (3)
Suspending the I.C.C.'s authority to approve railroad consolidations (2)

Concerning organization and personnel of I.C.C.:

Enlarging the I.C.C to 12 members (3), and to 13 members (2)
Reducing the I.C.C. to 7 members (1)
Providing for geographical distribution of members (6)
Transferring certain I.C.C. functions to regional commissions (10)
Organizing divisions within I.C.C. to hold hearings in different regions (3)
Establishing special coal division of I.C.C. (1)
Providing for action through individual commissioners or boards of employees (5)
Placing the I.C.C. under a cabinet officer (1), and establishment of a bureau of transportation in Commerce Department (1)
Lengthening terms of commissioners (2), and making them ineligible for reappointment (1)
Disqualification of commissioners for personal interest in cases (1)

A corresponding list gives the attempts made in the same period to direct the powers of the Commission to certain ends:

Empowering the I.C.C. to authorize loans to carriers (2)
Empowering the I.C.C. to acquire and operate a transcontinental railway (2)
Empowering the I.C.C. to establish just telegraph rates (1)
Providing for fuller control over pipe lines (1)
Restricting states in regulation of intrastate rates (1)
Providing for judicial notice of various I.C.C. reports and records (2)
Empowering the I.C.C. to regulate persons combining their goods for shipment in carload lots (1)
Transferring Shipping Board's regulatory jurisdiction to I.C.C. (1)

Empowering the I.C.C. to regulate rates for all inland waterways (2)
Empowering the I.C.C. to regulate motor carriers (23)
Directing the I.C.C. to investigate desirability of assuming jurisdiction over coastal water traffic (1)
Applying the Interstate Commerce Act to all motor transport (2)
Authorizing the I.C.C. to regulate railway holding companies (6)
Granting authority for I.C.C. to regulate intrastate rates when state regulatory bodies fail to act (1)
Empowering the I.C.C. to coöperate with the Board of Railway Commissioners of Canada (1)
Giving the I.C.C. jurisdiction over refrigerator car companies (3)
Authorizing the I.C.C. to establish through rail-water rates (7)

The use of resolutions calling for investigations of the activities of the Interstate Commerce Commission is shown in the following items:

Those which passed:

1. S.Res. 272, 69th Cong., 1st Sess. (Senator Curtis of Kansas), to investigate the action of the I.C.C. in refusing to suspend certain Santa Fé Railway tariffs until certain interested parties could be heard (*Cong. Record*, July 2, 1926)
2. S.Res. 100, 69th Cong., 1st Sess. (Senator Reed of Pennsylvania), to inquire into the number of reports required of railways by the I.C.C. and to determine whether railroads could be relieved of part of this burden (*Cong. Record*, Jan. 4, 1926)
3. Sen. Res. 10, 70th Cong., 1st Sess. (Senator Robinson of Arkansas), to inquire into alleged attempts of the I.C.C. to equalize prosperity among producers in different sections of the country (*Cong. Record*, Feb. 9, 1928) [This was the result of various memorials and petitions from citizens and state legislatures]
4. S.Res. 208, 70th Cong., 1st Sess. (Senator Walsh of Montana), to inquire into the relationship between American and Canadian freight rates (*Cong. Record*, April 30, 1928)

Those which did not pass:

1. H.Res. 155, 69th Cong., 1st Sess. (Rep. Black of New York), for an investigation of the premature circulation of information in regard to an I.C.C. decision prior to its public release by the Commission (*Cong. Record*, March 3, 1926)
2. S.Res. 173, 69th Cong., 1st Sess. (Senator Trammell of Florida), for an investigation of rates on citrus fruits, with a view to bringing about a prompt reduction. (*Cong. Record*, March 25, 1926)
3. Senator Sackett of Kentucky introduced a resolution to investigate the rates on bituminous coal and the extent to which some mines were being over-developed and others depressed as a result of the existing rates (*Cong. Record*, Feb. 17, 1928)
4. As a result of inquiry, Senator Wheeler of Montana introduced S.Res. 250, 70th Cong., 1st Sess., urging the I.C.C. to investigate the subject of American and Canadian rates and if possible to reduce American rates to conform to the Canadian level (*Cong. Record*, May 25, 1928)

The part played by petitions and memorials to Congress in pressing for changes is illustrated in the following examples:

1. Senator Kean of New Jersey presented a petition from the New Jersey legislature requesting federal regulation of motor-buses (*Cong. Record*, May 21, 1929)

2. Similar memorials were presented from the legislatures of Illinois and Wisconsin (*Cong. Record*, Sept. 4, 1929)

3. Senator McKellar of Tennessee protested against petitions of railroads in the Mississippi Valley for increased rates on road-building materials as tending to cripple the road-building program of his state. He further asserted that if the I.C.C. granted the increase it should be contested in the courts, and that he would volunteer his services as counsel for the plaintiffs. He placed in the record a petition from the legislature of Tennessee and a letter from the chairman of the state railroad and public service commission expressing similar sentiments, and had them referred to the I.C.C. (*Cong. Record*, Dec. 21, 1929)

4. Senator Barkley of Kentucky presented a memorial from the Kentucky legislature asking for federal legislation to regulate motor-buses, alleging that they were largely exempt from state control and that the interests of the legitimate, regulated lines and of the traveling public in Kentucky demanded action (*Cong. Record*, Feb. 20, 1930)

5. Representative Lankford of Virginia inserted in the record a petition from the Virginia corporation commission to the I.C.C. against the latter's railroad consolidation plan, presented when the Baltimore and Ohio Railroad made application to proceed in accordance with the plan. The petition asserted that certain features of the plan would destroy competition between railroads in this region and would violate Virginia and West Virginia state laws (*Cong. Record*, Dec. 12, 1932)

Other attempts to influence or interfere with the Commission consist of reading opinions from letters or editorials or the inserting of magazine articles into the record:

1. Senator Fletcher of Florida endorsed and put in the *Record* a letter from a vegetable and fruit dealer criticizing the rate structure, particularly on agricultural products, and charging the I.C.C. with unwillingness to do anything about it, and urging Congressional investigation of all rates (*Cong. Record*, Feb. 26, 1931)

2. Representative Jones of Texas advocated preferential rates for agricultural commodities intended for export to correspond to similar preference given industrial exports. He quoted an opinion of Commissioner Lewis of July 1, 1930, in support of such preference (*Cong. Record*, Dec. 16, 1930)

3. Representative Hare of South Carolina incorporated in the *Record* a letter which he himself had written on August 11, 1931, to the I.C.C. protesting vigorously against increased rates asked by the railroads and under consideration by the Commission. Hare said that the railroads were not entitled to maintain their income during the depression, and that agricultural producers were, if anybody, entitled to preference because of the more basic character of their services (*Cong. Record*, Dec. 22, 1931)

4. Senator Copeland of New York incorporated in the *Record* a letter from a New York financier, written April 4, 1932, and severely criticizing the I.C.C. for its failure to put rates high enough to make railroads earn their $5\frac{3}{4}$ per cent return on valuation, and at the same time allowing carriers to sell to investors more bonds at near par. He gave the impression that the main function of the Commission was to protect investors (*Cong. Record*, April 15, 1932)

5. Representative Celler of New York attacked the I.C.C. and placed in the *Record* a letter written on Dec. 12, 1931, by a New York financier to the editor of *Wall Street Journal*, similar in tone to that inserted by Senator Copeland. Its viewpoint was that the I.C.C. was a menace to prosperity; that it is morally responsible for seeing that investors get their $5\frac{3}{4}$ per cent fair return (*Cong. Record*, May 10, 1932)

As an example of general attacks on the I.C.C. in Congress, we may take that of Representative Garber of Oklahoma (*Cong. Record*, Feb. 5, 1929), who assailed the Commission for its slowness. He cited an instance in which the Commission took three years to decide a railway mail-pay case before $45,000,000 in back pay was finally awarded to the roads. Mr. Garber berated the Commission for its slowness in adjusting freight rates for the benefit of agriculture, quoting President Coolidge's 1923 message calling for agricultural relief through reorganization of the rate structure. He asserted that the Commission was willing to aid the railroads by horizontal rate increases, but very slow to remove these increases for the benefit of the farmers. "My criticism," he said, "includes the attitude of the Commission, its attitude of leisurely indifference in contemplation of the condition of agriculture, and its refusal to assume the initiative, after being commanded by the Executive and by Congress, in an organized systematic effort to relieve the situation."

The sectional jealousies prompting interference with the Commission emerge with unmistakeable clearness in connection with appointments of commissioners. The line-up of economic forces is to some extent coincident with regional divisions, and a long dispute such as the lake cargo coal rates controversy reverberated in the Senate hearings on the nomination of Cyrus Woods and the reappointment of John J. Esch as commissioners. The smouldering struggle between the coal producers of Pennsylvania and the southern mine operators has been fully studied[23] and concerns us

[23] Each side fought for freight rates that would enable it to dispose of its products to advantage in the lake cargo coal trade. See Harvey C. Mansfield, *The Lake Cargo Coal Rate Controversy* (New York, 1932).

here only in so far as it served to bring to the surface the close connection between these industries and senatorial defence of regional interests. Senator Reed of Pennsylvania stated his position thus unequivocally: "I claim that one-eleventh of the population of the United States live in Pennsylvania, and that we are entitled reasonably once in 40 years to one-eleventh of the Interstate Commerce Commission."[24] He further stated: "We can talk all we please about abstract justice, about the Commission deciding always on the fairness of the facts laid before them; but, as a matter of practical humanity, we know that they speak for the regions from which they come, if only because they understand their needs better."[25]

This conception of the Interstate Commerce Commission as a representative rather than a regulatory body naturally arouses jealousies and recriminations. The defenders of other sections will not sit silent when Senator Reed demands the appointment of a Pennsylvanian. Senator Swanson wants to know why his section has not been given consideration, and attributes the omission to "political considerations, personal considerations and pressure, or because these nominations are made by some outside interests."[26] Senator Neely of West Virginia is up in arms over a statement in the *Washington Star* that "two or three" members of the I.C.C. would resign in a body if the Senate rejected Commissioner Esch's confirmation, and stigmatizes it as "a most extraordinary and reprehensible attempt . . . to intimidate the Senate." But he is equally on his guard against the attitude of his senatorial colleagues. He calls their attention to the stupendous blunder of bowing to the clamor for sectional representation on the Commission, since this would make it "necessary for the senators representing that particular section that is in jeopardy to engage in an elaborate and in a most reprehensible scheme of horse-trading with other members of the Senate to obtain confirmation of their friends to protect their particular interests."

The injection of this principle of representation of interests into the make-up of the Interstate Commerce Commission would in-

[24] Nomination of Cyrus Woods. [Senate] Hearings before Committee on Interstate Commerce, 69th Cong., 2nd Sess., Jan., 1927, p. 133.

[25] *Ibid.*, p. 68.

[26] *Cong. Record*, 69th Cong., 1st Sess., Dec. 21, 1925 [Senate], pp. 1252–58, for debate on representative character of I.C.C.

evitably destroy its judicial character. To carry out the recurring proposal to make the Commission representative of regions would mean enlarging it to unwieldy size. Yet the pull of economic and sectional interests plays a much larger part in conflicts over appointments than partisan politics. Failing to secure the representation on the Commission at which he aimed, Senator Reed, for example, would declare political warfare and abolish the Commission were it within his power. Another indication of the attitude maintained by some senators is the ill-founded intimation that Commissioners Esch and Aitchison refused to heed the clamors of the Pennsylvania coal operators until the eve of the expiration of their terms of office. Similarly, Commissioner Woodlock's opinions of the farmers were viewed by some as rendering him ineligible for appointment. Said Senator Wheeler: "This man has simply been a propagandist for the big interests in New York City, whose views are absolutely opposed in every single way, not only to our views upon railroad matters but our views upon farm problems, and the farmers' problems are the problems of the Interstate Commerce Commission."[27]

It is true that some of the commissioners have been closely connected with particular interests. F. I. Cox was once president of an organization of commercial traveling-men; Edgar Clark was head of the brotherhood of railway conductors; Mark W. Potter was president of a small southern railroad; Johnston B. Campbell was for years a leader in the fight of the farmers against the railroads in the western intermountain territory; while Joseph B. Eastman stands for the "liberal" element, and is known as an advocate of government ownership. Some professional link with transportation and a knowledge of its problems constitute a natural qualification for office, but the importation of the idea of professional representation—as when the American Engineering Council urged the President in 1919 to appoint an engineer—is not a move to be regarded with equanimity.

Efforts to influence the decisions of the Commission are by no means confined to the indirect method of working through Congress or the struggle over appointments. Direct pressure upon members of the tribunal is attempted through every channel open to

[27] Nomination of Woodlock. [Senate] Hearings before Committee on Interstate Commerce, 69th Cong., 1st Sess., Jan. 1926, pp. 62–63.

the propagandist. How much of this takes place it is impossible to say, but there have been occasions when tactics have been clearly disclosed. Congressmen and senators have appealed personally to the commissioners asking for favors. Such political intervention is, however, exceptional, and there is even less evidence of individual solicitation of commissioners by the representatives of special interests. Behavior of this sort would be worse than futile, and would incur the active displeasure of the Commission. Publicity activities afford a means of pressure that is not so easily repudiated or suppressed.

The outstanding example of the propaganda method of pressure is to be found in the campaign waged by the railroads in connection with the rate advance cases in 1914. So great were the efforts to influence the Commission's judgment on this matter that they received lengthy comment in the Commission's official report; while Senator La Follette introduced a great mass of evidence into the *Congressional Record* to substantiate his charge that the railroads were attempting to sway the Commission. "There appears to have been a set purpose to convince us," the Commission reported, "that the people were of one mind respecting the very important questions involved in the case, and that in order to satisfy every public requirement, there remained nothing for the Commission to do but to register this consensus of opinion by immediately entering an order permitting the carriers to make their proposed charges effective. The letters and telegrams received disclosed an unmistakable purpose to hurry the Commission to a conclusion before the record had been closed and before there could be an opportunity to hear, much less to consider, the testimony that the protestants and others desired to offer in protection of what they conceived to be their interests as shippers."[28]

Rural as well as metropolitan papers were made vehicles of railroad propaganda, and reputable journals joined in the clamor for immediate approval of the proposed rates. The manufacturers and distributors of railroad supplies, through their organization, the Railway Business Association, maintained a publicity bureau from which circulars were issued, appeals made to business men's clubs, chambers of commerce, and similar organizations. Trade and financial journals and magazines presented the case for the

[28] The Five Per Cent Case, 31 I.C.C. 351, pp. 425 ff.

railroads. "Through this means and through many others," stated Senator La Follette," great pressure has been brought to bear on the business public, so that in turn business men have written scores upon scores and hundreds upon hundreds of letters, and business organizations have sent hundreds upon hundreds of resolutions and communications to the Interstate Commerce Commission, to the President, to members of the cabinet, and to members of Congress, urging them in turn to use their influence with the Interstate Commerce Commission. For what? To secure a prompt and favorable decision for the railroads in this case."[29] Nor was this all. The stockholders and bondholders were enlisted to plead with the Commission, and railway employees, threatened with reduced wages or loss of employment, addressed petitions to it. The total of letters received by the body, either directly or from the mail pouches of senators and representatives, aggregated several thousand. Senator La Follette estimated that 175 letters were transmitted by the President, and a smaller number received from senators and representatives.

The Commission may be powerless to stem the onslaught of telegrams, petitions, and other written pleas, but it is free either to ignore them or to discount their value as evidence of real public feeling. On the occasion referred to, the Commission reported: "Those that have been examined disclose that the writers were without any real understanding either of the many intricate questions involved in the investigation or of the facts disclosed in the record; and they show little appreciation of the statutory standards by which we must be controlled when considering the rates and practices of carriers." Such propaganda efforts by the railroads served to create a false impression of the powers and duties of the Commission. Apparently, many of the writers had been persuaded

[29] *Congressional Record*, 63rd Cong., 2nd Sess., pp. 8859 et seq. (May 12, 1914). On pp. 8866–9224, the Senator had printed about four hundred pages of exhibits, including bulletins, pamphlets, and addresses issued by the railroad publicity bureau or made by railroad officials; newspaper stories and magazine articles; copies of editorials sent to the I.C.C. to suggest the public reaction; communications from individuals sent to the President, cabinet officers, and congressmen, and forwarded to the Commission; letters showing the agitation on the part of bankers and business men for a rate increase; and resolutions from boards of trade, chambers of commerce, and manufacturers' associations. For an account of the agitation of the railroads before Congress in connection with the Elkins Act of 1903, see W. Z. Ripley *Railroads, Rates, and Regulations* (1912), pp. 496-498, which shows a similar publicity campaign directed in this case to influence legislation.

that it was up to the Commission to "restore confidence" in the business world, and that this aim gave it a sufficient warrant for action. But the Commission has no authority to increase freight rates in order to "stimulate" business, and must act in accordance with the standards fixed by statute. Clearly the dissemination by propaganda of a false idea of the Commission's functions serves to weaken its position as an independent tribunal charged with definite duties by law.

That the railroads themselves consider propaganda necessary for the protection of their interests, they have on occasion been frank to admit. In particular, critics must be boldly confronted and confounded. The *Railway Age* states: "Various organizations of the railways, most of them branches of the Association of Railway Executives, are engaged constantly in preparing data and arguments which completely refute the calumnies constantly being circulated by those who desire to destroy private ownership and management of railways. The trouble is that not enough is being done through the organization of most of the individual railways to get the facts about the railway situation presented to the people in their territories. . . . There are railways in every part of the country which, through special departments established and maintained for that purpose, are doing effective work to nullify the effects of anti-railroad propaganda being carried on. This ought to be true, however, not merely of only part but of all the railways. Not a single false or misleading statement regarding railway management or railway regulation should be allowed to be published anywhere without an answer to it being promptly sent to the paper in which it appears, with a request for publication of the answer."[30] On the other hand, the shortsightedness of attempts to influence the Commission's action has been recognized and the dangers of enlisting political powers through members of Congress foreseen. "The policy of pressure is equally dangerous to the railways and to those who use and pay for their services. To criticize and appeal from the Commission's decisions is one thing. To resort to political coercion to influence its decisions and policies is an entirely different thing."[31]

The consistency of this attitude of the railways is somewhat

[30] *Railway Age*, Dec. 3, 1921, p. 1075.
[31] *Railway Age*, Jan. 12, 1929 p. 136.

questionable. Their right to present their side of a controversy in a bid for public support cannot be challenged, but how far can this general opinion be brought to bear on the Commission without possible infringement of its judicial independence? To what extent can the railroads legitimately conduct a publicity campaign? An effort is made to influence public opinion, and then to direct the force of this opinion upon the Commission. Where does political pressure begin? Judging by pronouncements in the *Railway Age*, by the attitude of the Railway Business Association, and by the policy of the American Railway Association, the carriers are well aware of the dangers of partisan interference, and find the threat of congressional participation particularly distasteful. Theirs has been a losing fight against governmental regulation, but its arrival despite their efforts does not alter the fact that they vastly prefer regulation by an expert board rather than by a political assembly swayed by winds of expediency. They feel upon the defensive when Congress turns in their direction, because so many groups have an interest in securing favors at the expense of the railroads, and because the octopus gets more than its share of abuse in the halls of Congress. Yet, although they prefer not to take chances with the law-makers, and decry attempts to secure congressional interference, they have not hesitated on occasion to influence the Commission through every means of propaganda at their command. The example we have taken was a very costly and elaborate attempt to secure favorable action on a rate increase, but similar propaganda is frequently utilized on a smaller scale. It is a rare case in which the Commission does not receive numerous communications from all interested parties.

Nevertheless, the force of both the organized carriers and the organized shippers has been exerted to counteract legislative interference in rate-making and to combat undue influence by sectional interests. Having a national membership, they adopt on the whole a large view of the transportation problem, and the Railway Business Association, for example, has strenuously opposed the idea of regional representation upon the Commission. It has gone on record as advocating the selection of commissioners without regard to section, interest, or occupation. Working in coöperation with the National Industrial Traffic League, it has tried to arouse business men and local, state, and national bodies to discounte-

nance attempts to put pressure upon the Commission. For example, in the campaign against the Pullman surcharge the Association reported:

> Especially do we count upon our members and friends to take the subject up with their salesmen, well situated to discuss the economics of the proposal with commercial travelers, whose organization sponsors it . . . Our association has been the most active body in the country in pleading for protection to the Commission against attacks upon its independence.[32]

Efforts to influence the Commission have not, however, disappeared. In the Fifteen Per Cent Case, it was brought to the attention of the Commission that certain large traffic areas were not protesting against the proposed rate increase, and it was argued that the Commission should take their views into consideration. To this the Commissioners answered:

> These facts are not without significance in so far as they indicate an existing state of the public mind. They are quite without significance as a basis for determining the propriety and reasonableness of the proposed rates. The statute does not authorize us to arrive at a decision with respect to the reasonableness of rates on the basis of preponderating views.[33]

The attitude of the commissioners to propaganda tactics by the railroads is further illustrated in a warning issued by Commissioner B. H. Meyer which is very much in point. In a letter addressed to Paul Shoup, president of the Western Pacific Railroad, Ralph Budd, president of the Great Northern, and H. M. Adams of the Western Pacific, he said:

> In connection with the applications . . . many resolutions and communications of various sorts are being received by us. It appears obvious that a great deal of propaganda work is being done both for and against this project . . . It is assumed that you gentlemen know that cases are determined by us on the record and not by consideration of resolutions, communications, newspaper articles, and the like. Of course, we recognize that some of this material may be spontaneous, but experience indicates that a very considerable portion of it is the result of solicitation by opposing interests. When a hearing is held on these applications there will be an opportunity for an expression by witnesses who have something to adduce in the way of testimony relating to this project, but propaganda of the sort apparently now in vogue is not helpful and should not be tolerated.[34]

The maintenance of a correct relationship is definitely a re-

[32] General Executive Committee Report of Railway Business Association, *Railway Age*, November 24, 1928, Vol. 85, no. 21, pp. 1021–2.

[33] Fifteen Per Cent Case, 45 I.C.C. 303, p. 316.

[34] *U. S. Daily*, June 29, 1929.

sponsibility of the spokesmen of the various interests who appear before the Commission. One of these men, a general counsel for the Southern Traffic League, says:

> I think that in reality it is upon the traffic men and the commerce lawyers that the responsibility and duty rest in aiding the Commission to correct the situation . . . We have encouraged the Commission to be too tolerant in its entertainment of attempted influence of sectionalism and partisan attitudes. We have been too lax in failing to support the Commission in its obvious wish that testimony, briefs, arguments, letters, telegrams, and other forms of appeal shall not be presented when they are remote from issues contemplated by law, and which can only be described as clamorous appeal for class or sectional recognition. We have by our own course of conduct accentuated the looseness of the Commission's system of pleading and practice with the tendency to convert what ought to be law suits into something like town hall meetings and, I regret to say, at times political gatherings.[35]

The Association of Practitioners before the Interstate Commerce Commission was organized in 1930 with the declared purpose of promoting the proper administration of the laws under which that body operates, upholding the honor of practice before the Commission, and encouraging cordial relations. At its first meeting, a comprehensive code of ethics covering every aspect of its work before the Commission was adopted, based largely upon suggestions made by Commissioner Aitchison and the standards of the American Bar Association.[36] This code recognized the need for stopping such abuses as those described above.

Much may be expected from extra-official efforts on lines like these to build up an environment around the Commission which will protect its deliberative character and facilitate its administra-

[35] Charles E. Cotterill, in address to traffic clubs as reported in *Railway Age*, May 3, 1930, p. 1070.

[36] *Canons of Ethics and Rules of Procedure of the Prof ssional Ethics and Grievances Committee.*" The following excerpts are particularly pertinent:

"4. Attempts to Exert Political Influence on the Commission.

It is unethical for a practitioner to attempt to sway the judgment of the Commission by propaganda, or by enlisting the influence or intercession of members of Congress or other public officers, or by threats of political or personal reprisal.

5. Attempts to Exert Personal Influence on the Commission.

Marked attention and unusual hospitality on the part of a practitioner to a commissioner, examiner, or other representative of the Commission, uncalled for and unwarranted by the personal relations of the parties, subject both to misconstruction of motive and should be avoided. A self-respecting independence in the discharge of duty, without denial or diminution of the courtesy and respect due the official station, is the only proper foundation for cordial personal and official relations between the Commission and practitioners."

tive operations. As we have seen, it is through outside expert assistance that the solution of many technical problems has been reached. Regulations framed in this direct relation to existing conditions carry their own validity and exert an intrinsic force parallel to that of the law. Outright coercion is apt to defeat its own ends and indicates as a rule that defective methods are being employed. But the importance of adjusting conflicting interests extends far beyond the technical field, and the application of policy may be endangered if pressures from outside interests are not properly directed and controlled. The force of enlightened self-interest may be turned to protecting the Commission from the influence of the narrower selfishness which appeals through Congress for special legislation or attempts to influence the appointment of commissioners. National associations of carriers and of shippers are built upon a base sufficiently broad to counter-balance the forces of sectionalism and partisanship. They serve to bring order into the multifarious private agencies concerned with transportation and to create general categories according to functions and occupations. Internal disputes between individuals within these associations can first be disposed of, and a unified presentation made by the association on matters of major importance engaging the attention of the Commission. The potentialities for autonomy and responsibility on the part of these organizations seem great, and still remain to be fully explored. In the end, such organizations can but recognize that an impartial and completely uninfluenced Commission is to their ultimate advantage. Their recurrent concern with the same problems suggests that a short-sighted policy on their part would work to their disadvantage in the end. A dependence upon expediency would appear impolitic in the long run. Already leaders of the American Railway Association are coming to realize that publicity campaigns are of questionable value when instigated to arouse favorable opinion on part of the public with regard to cases pending before the Commission. Such tactics are regarded with suspicion by the public and with disapproval by the Commission.

Indirect pressure upon the Commission through political channels, though attempted time and again, has not proved effective. The sectional jealousies and the class and occupational conflicts brought to light in these efforts have occasioned much strife and

few victories. Carriers and shippers alike recognize the danger and futility of this strategy. This attitude is well summarized thus:

> If powerful political and industrial influence, coupled with the selfish desires of those dominating the business of certain localities or regions, are to dominate the Interstate Commerce Commission, which has heretofore been independent of these influences and uncontrolled by such desires, then the hope for a "scientific and non-partisan development of administrative law" has perished and the future findings of this Commission will be thought of by fair-minded men with contempt.[37]

That those practicing before the Commission are developing a code of ethical standards is a most healthy sign. In the final analysis, it is in the hands of those directly affected by the Commission's work that the best hope for the future lies. The public, as such, can take no positive part, and Congress time and again has done little more than reflect the economic conflict of sections. The existence of reputable and responsible national organizations representing the economic forces concerned with transportation problems may make for an environment discouraging to sectionalism and individual selfishness. Such organizations can transcend the issues offered by the disputants in any one particular case and retain a broader viewpoint. They stand in a better position to see that a Commission protected from political rate-making and guarded from coercion by economic interests works to their ultimate advantage.

The Interstate Commerce Commission cannot be insulated from its economic contacts and its political context, but the powerful currents of interest with which it is surrounded can perhaps be utilized for illuminating the administrative process in such a way that the *public* interest can be discovered. The pressures from the outside may be of utmost significance in exhibiting the strength of important elements deserving attention at the hands of officials. The conception of the public welfare draws its content in any given case from the substance presented by certain special interests. The administrative problem lies in the adjustment of these interests, not in terms of some abstract ideal, but rather in terms of the parties at conflict and in relation to the law. Legal norms, however, must be supplemented by economic standards and by technical considerations. This is implicit in any "just and reasonable" settle-

[37] Testimony of Mr. Belcher, [Senate] Hearings before Committee on Interstate Commerce, 69th Cong., 2nd Sess., Jan. 1927, p. 79.

ment. Hence the public interest cannot be given concrete expression except through the compromise of special claims and demands finally effected. Special interests cannot then be banished from the picture, for they are the parts that make the whole. Properly organized, such interests serve, not only as responsible and articulate agencies of group opinion, but also as sources of technical competence. The experience of the Interstate Commerce Commission in its relations to carrier and shipper associations suggests that the "pressures" of such groups can be directed to useful ends and the influence of partisanship and sectionalism subdued by a salutary functionalism.

The New York Municipal Election. One of the most persistent legends in American politics is that municipal machines cannot be defeated. Yet time and again they have been split from the inside, successfully overthrown by opposition organizations,[1] and overwhelmed by the joint action of rival political, civic, and protest groups. On many occasions the political machine of New York City has been checked, chastened, and disrupted. On November 7, the allied forces of Fusion administered a crushing defeat to the Tammany and Bronx factions of the Democratic machine in New York City. At the same time, the organized non-partisan masses in Philadelphia administered to the Republican machine there its first defeat in fifty years; while in Pittsburgh the Mellon machine succumbed to attack from the same elements. In scores of other cities the citizens rose in arms against the machines.

A common factor in the recrudescence of the forces opposed to machine rule was the depression. National governments are more susceptible to the disintegrating influence of social and economic maladjustment. They crack almost immediately after the down-swing of the business cycle. But city machines display an extraordinarily tough vitality. In many cities they weather storm after storm. In New York, it took six years of steady pounding to break down the Tammany triumvirate of Curry, McCooey, and Flynn. The depression, with its concomitants of unemployment, financial distress, and broken homes, contributed to their downfall—but its effect was delayed four bitter years.

In 1919, Fiorella H. LaGuardia was elected to the office of president of the Board of Aldermen in New York City, and for four years he battled with Mayor Hylan, Comptroller Craig, and his aldermanic colleagues for a humane, economic, and progressive administration of the city's affairs. After vainly seeking the nomination for mayor and serving several years in Congress, with growing distinction, LaGuardia obtained the Fusion nomination for mayor in 1929, but lost the election to that scintillating boulevardier, James J. Walker. At that time, the Queens county machine had already been shaken by an investigation of the borough government and the subsequent conviction and imprisonment of its leader. Before the day of election, the stock market had crashed—but prosperity still shone with a subdued glow over the Tammany club houses and city hall.

Mayor Walker entered his second term under very unfavorable aus-

[1] The writer would define an "organization" as a group of partisans united by the customary social, psychological, and economic forces. Only when an "organization" controls the government of its jurisdiction is it a "machine," and then only if it uses the agencies of government for its own ends rather than for those of the people.

pices. Tammany found it more and more difficult to meet its ordinary social obligations to the people. Circuses were substituted for bread, but the cry for relief grew louder and louder. Government costs rose; taxes went up; and bankers began to demand higher interest rates and municipal economies. Meanwhile, a series of investigations, culminating in the Seabury inquiry, exposed the system from top to bottom.

Mayor Walker was forced to resign in 1932, and Tammany induced Surrogate John P. O'Brien, a benevolent and somewhat bewildered gentleman of unimpeachable morals, to run for the office in the fall elections, on the same ticket with Governor Roosevelt, the party's candidate for President. O'Brien easily disposed of his Republican opponent, Lewis Pounds, but was somewhat amazed at the strength shown by the Socialist nominee, Morris Hillquit, and by the Democratic Joseph V. McKee, former president of the Board of Aldermen in Walker's administration. McKee was not a regular candidate, but his name was "written in" by over a quarter of a million voters as a protest against Tammany misrule.

O'Brien's short term, filling the vacancy created by Walker's resignation, proved an unhappy one. The metropolitan newspapers, particularly the *World-Telegram*, did not permit the issues raised by Judge Seabury to die, and they harried the kindly O'Brien with acid comment on his unfortunate habits of naïvely deferring to Tammany Hall and of exposing his incapacity for independent judgment.

During the spring of 1932, efforts were made to draw McKee from retirement. Self-appointed civic leaders offered him the Fusion nomination, which he declined, and faithful adherents of the Democratic machine urged him to contend for the endorsement of the party in the primaries. He deferred giving an answer, but Frank J. Prial, deputy comptroller under Charles W. Berry, who was about to resign, signified his intention of seeking the nomination for comptroller.

In the meantime, a City party, composed of reformist elements, independent Democrats and young people, had been formed and was proceeding with the business of organizing functional groups and local units. LaGuardia, after a notable display of leadership in the final session of the Seventy-second Congress, had been retired. As McKee toyed with the hope of rallying the protest vote in his own behalf, LaGuardia moved rapidly to the fore with a series of ringing challenges to the authors of the city's ills. The conservative element moved heaven and earth to obstruct him, publicly offering the nomination to one "safe" man after another. All of these gestures were thrust aside by Judge Seabury, whose personal prestige had reached a high point, and who resolutely insisted upon LaGuardia's nomination. The various fusion committees and the Republican organizations capitulated. LaGuardia was designated as the Fusion leader, and all disputes over the remaining nominations were

ironed out by a harmony committee headed by the distinguished jurist Charles C. Burlingham. The more important nominations went to Independents and Independent Democrats like Bernard S. Deutsch, Raymond V. Ingersoll, W. Arthur Cunningham, Langdon W. Post, and Charles P. Barry. A Republican, one of Judge Seabury's aides, Jacob G. Schurman, Jr., was named for the important post of district attorney of New York county. The entire slate was supported by the Republican party in the primaries, and the same group was endorsed by the City party, rechristened the City Fusion party.[2]

The Democratic bosses rejected Prial and named one of the inner circle for the office of comptroller. But Prial entered the primaries and won an amazing victory. On the same day, three assembly districts in Manhattan and one in Brooklyn revolted. Curry and McCooey were tottering on their thrones. Sensing an opportunity to capture the Democratic machine and to subordinate it to the state and national organizations, Edward J. Flynn, Bronx county leader, and James A. Farley, state and national chairman, now injected McKee into the fray, designating him for mayor and bolstering the ticket, suggestively labelled the "Recovery party," with Ferdinand Pecora for district attorney. The Democratic candidate for president of the board of aldermen, M. Maldwin Fertig, a Flynn man, was prevailed upon to withdraw. The entire Bronx local ticket was given the Recovery endorsement, and civic leaders in all boroughs, chiefly but not exclusively Democrats, were invited to joint the revolt. District leaders deserted McCooey, Theofel (Queens leader), and Curry so rapidly that they began to embarrass the Recovery candidates. McKee thereupon called a halt, and several of the insurgents returned to the fold. Tammany instituted measures of reprisal against those who remained with Flynn and McKee. The Democratic party was split wide open. Nevertheless, detached observers saw in this grand manœuver an attempt to divide the Fusion vote. Straw votes and objective analyses of voting trends had indicated that Fusion would drive Tammany from nearly every point of vantage. At this writing, no one knows whether McKee and the Recovery ticket drew more heavily from LaGuardia or from O'Brien.[3] Although both Fusion and the Democrats were disturbed by the Flynn-Farley manœuvers, it seems certain that the former suffered the more.

[2] An incident of the primaries was the elimination of Samuel S. Koenig from the leadership of the New York county organization. His place was assumed by Chase Mellen, and new leaders were installed in certain districts. A reunited and reinvigorated Republican party met in convention and pledged its support to LaGuardia and Fusion. Thenceforth it moved into the background and loyally championed the Fusion cause.

[3] See the writer's analyses of voting trends and potentials in the *New York Herald-Tribune*, September 3 and October 29, 1933.

The entry of McKee into the contest caused the Fusion leaders to shift the line of attack. They discounted McKee's record, assailed the Bronx machine, and ridiculed Recovery's protestations of independence. O'Brien confined himself to the familiar platitudes of "standing on his record" and glorifying the great city of New York, later—as the contest between LaGuardia and McKee grew warm—benignly quoting one against the other. In the later stages of the campaign, his pace was accelerated. Newspaper polls and the *Literary Digest* straw-vote showed him running third. But nearly everyone understood that, in the last week of the campaign, O'Brien and Tammany were overtaking McKee and threatening LaGuardia.

The spurt came too late. LaGuardia was elected by the overwhelming plurality of 256,000 votes. McKee placed second with 610,000 votes, while O'Brien fell a short distance behind with 587,000 votes. Six Fusionists were elected to the Board of Estimate and Apportionment with a total of 13 votes. Seventeen Fusion aldermen were elected, and inroads were made on the hitherto well-nigh invincible Democratic representation in the state assembly. The entire Recovery ticket in the Bronx (with two exceptions) was victorious, and the local machine candidates in Brooklyn and Manhattan prevailed. Thus the Fusion party secured control of the city administration and the more important branch of the municipal legislative assembly. But the local patronage in Bronx, Kings, and New York counties is still largely in machine hands. Moreover, Tammany elected most of its judicial candidates and retained control of the office of district attorney in New York county. In the other counties, most of the law-enforcing agencies other than the police will remain in Tammany's hands, as will the local borough and county offices, with their considerable patronage, in New York, Bronx, and Kings counties. Overlapping terms protect many of the magistrates. Hence the victory of Fusion is far from complete.

In their public pronouncements on the issues, the leading candidates differed only in emphasis. Each and everyone, including even the Socialist and Communist candidates, favored restoration of the government to the people (except Mayor O'Brien, who felt that safe, sane, and conservative leadership was of paramount importance).[4] LaGuardia and McKee pleaded for the restoration of credit and public works; O'Brien and Solomon, the Socialist, urged the extension of educational and health services; and LaGuardia and Solomon demanded slum clearance and a housing program. Viewed realistically, O'Brien and Tammany posed frankly as the defenders of the established order, the Mayor evincing concern for the fall in real estate values. McKee undoubtedly represented the big busi-

[4] See complete statements in the *New York Times*, November 5, 1933, and the *New York Evening Post*, November 4, 1933.

ness, banking, and reform interests whose panacea for municipal ills is the "balanced budget." Solomon was the only one who clearly demanded lower electric, gas, and telephone rates. The Fusion leaders demonstrated from the record that McKee had no real desire to further a humanitarian program of unemployment relief, and that he was actually opposed to the extension of educational facilities.[5] That O'Brien sincerely wished to promote relief measures his opponents conceded, but they proved that as the instrument of the machine he neither had done so nor could do so in future.

The McKee strategy was to discredit LaGuardia as the radical, irresponsible tool of the sinister, reactionary Republican organization. This stupidly devised stratagem failed because it was publicly addressed to the discriminating portion of the literate electorate. Recovery was more successful in identifying itself with President Roosevelt and his program, but it is possible that McKee overestimated the drawing power of the NRA as a symbol. LaGuardia maintained the integrity of Fusion by picturing McKee's party as another Tammany in sheep's clothing. Not a single important adherent was lost by Fusion after McKee's entry into the campaign.[6]

A close study of the returns compels the observations: (1) that Barry, Fusion candidate for borough president in the Bronx, was defeated because Tammany and Recovery united on his opponent; (2) that Ingersoll and Palma, candidates for the same office in Brooklyn and Richmond, respectively, were elected by the division of their opponents; (3) that the Jews and the Italians were unusually susceptible to the appeals of their compatriots;[7] (4) that Manhattan has definitely lost its primacy in city affairs; (5) that the "machine" has split, but has by no means disintegrated; and (6) that improper use of money, intimidation, fraud, and other election abuses persist, but are powerless to thwart completely the wishes of an aroused electorate.

[5] See the candidate's statements in the *New York Times*, October 15, November 12, 1932.

[6] Such stratagems, misnamed "issues," as appeals to nationality, class, and religious prejudices entered this campaign as they have entered all others in New York City for one hundred and fifty years. The tickets of all parties were constructed with the aim of attracting the Jewish, Catholic, and Italian votes. Tammany prepared a charge of "anti-semitism" to hurl at McKee in the closing hours of the campaign. LaGuardia anticipated this attack and used it himself; McKee bungled his answer and lost thousands of votes thereby. Meanwhile, he had himself attempted to array the "classes" of decent, honest, and substantial citizens against the "masses" who were arrayed with the irrepressible LaGuardia, an expedient generally unfortunate in urban politics and certainly doomed to failure in time of economic depression.

[7] Pecora (Recovery candidate, Italian) was opposed because the Italians recognized his candidacy as a thrust at LaGuardia.

The McKee campaign was richly financed, but poorly managed; the O'Brien campaign was adequately financed and sagaciously administered; while Fusion had neither funds nor competent direction. LaGuardia's own strategy was superb, but the general direction of the Fusion campaign was decidedly maladroit.

Grave and serious problems confront the new administration. To pay the bills of his wasteful Tammany predecessors, to furnish a vast amount of vitally necessary new services, and to raise the standards of administrative efficiency, Mayor LaGuardia must raise millions of dollars in new taxes or refund the debt in some revolutionary fashion.[8] That he will succeed in the task is the confident hope of liberals everywhere. And that he will prevent the resurgence of the machine is the belief of those who did not miss the significance of his definition of the "highest form of politics," i.e., "to make things which are right at the same time attractive and pleasing."

ROY V. PEEL.

New York University.

The Veterans' Bonus and the Constitution. For fifteen years, the American public has been faced with a demand that the veterans of the World War be paid a cash gratuity for the discharge of a patriotic duty. Amendments providing for benefits, preferences, rights, or privileges are attached to bills of all descriptions in Congress. Ill-conceived marches upon Washington continue to be organized, and public speeches whet the veteran's abuse-complex. Highly paid lobbies move Congress almost at will, so that the executive stands as the public's only protection against a minority expertly organized and politically well deployed.

No effort will be made here to discuss the various benefits which Congress has accorded the veterans in the past fifteen years. These can be found treated in detail in the annual reports of the American Legion conventions—printed as Congressional documents at public expense—and in a recently published Senate document entitled "Federal Laws Relating to Veterans of Foreign Wars of the United States (Annotated)."[1] Attention will be confined to that phase of legislation which provides for or demands cash gifts from the federal treasury for individual veterans. The history of this legislation throws light upon, and forms a part of, an interesting development in American constitutional government. In an illuminating little book entitled *Congress as Santa Claus*, Mr. Charles Warren has examined the practice of Congress in providing public provender for roads, canals, railroads, disaster sufferers, states, and favored

[8] He has promised to effect economies, but the heaviest charge of all is interest, even under the new bankers' agreement.

[1] *Senate Document* 131, 72nd Cong., 1st Sess. (1932).

groups of individuals. Mr. Warren found that the money for these activities has been appropriated with little or no consideration for the constitutional authority sanctioning such appropriations. When challenged, the promoters have justified the appropriations upon the basis of precedent, or upon the right to provide for the common defense and general welfare. Judicial, executive, and public silence have seemed to confer a mantle of authority upon Congress to extend financial help or gifts to whomsoever and for whatsoever it desired.

Inheriting the practice of according financial benefits to war veterans from English and colonial precedents,[2] and relying upon the practice and precedent of bestowing grants and gifts to groups or to individuals, Congress has provided land grants, preferences, or pensions for the demobilized forces after every war in which the United States has been engaged.[3] While the Constitution does not authorize Congress to enact such legislation, it does not forbid it. When the Fourteenth Amendment was adopted, a significant, though seldom noticed, clause was inserted as follows: "The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned."

Fortified by this provision, Civil War pensions became legal and unquestionable. Regardless of Congressional extravagance, abuse, or squandering, the courts were prevented from entertaining jurisdiction. That the Supreme Court accepted the situation is evident from two decisions. In U. S. v. Hall, the Court said: "The whole control is within the domain of Congressional power."[4] In U. S. v. Teller, the Court remarked: "Pensions are bounties of the government, which Congress has the right to give, withhold, distribute, or recall at its discretion."[5]

Based upon precedent and upon the blanket authority conferred upon Congress by these decisions of the Supreme Court, an elaborate system of pensions was set up for veterans of the Spanish-American War.[6] The fact that the clause in the Fourteenth Amendment applied only to veterans of civil wars does not seem to have been considered by Congress or judiciary.

When the Selective Service Act of 1917 was passed, increasing military pay fifty per cent, it was provided that there should be no bonus.[7] In November, 1918, however, Secretary Newton D. Baker urged that a "gratuity" of one month's pay be given to all men on their discharge.[8] A rider to the 1918 revenue bill was passed granting $60 to every man

[2] *Federal Laws Relating to Veterans of Foreign Wars of the United States*, p. 26.
[3] *Congressional Record*, Vol. 65, p. 6877.
[4] 98 U. S. 343. [5] 107 U. S. 68.
[6] See *Federal Laws Relating to Veterans of Foreign Wars.*
[7] U. S. *Stat. at Large*, Vol. 40, Pt. i, p. 76.
[8] Report 855, 65th Cong., 3d Sess., *House Reports*, Vol. I, Misc. I.

on his discharge.[9] A precedent established, subsequent Congresses were deluged with proposals for aid. An omnibus bill was finally whipped into shape by the Republican members of the House ways and means committee[10] which provided for "adjusted compensation," payable in any one of four ways: cash payment, endowment insurance, vocational training, or advance on the purchase of a house. In vetoing this bill, President Harding said: "It establishes a very dangerous precedent of creating a Treasury covenant to pay which puts a burden variously estimated at between four and five billions which the government always must pay, and to bestow a bonus which the soldiers themselves, while serving in the World War, did not expect."[11]

Reduced to the twenty-year endowment insurance policy plan, adjusted compensation again passed Congress.[12] Perusal of the speeches and remarks in the *Congressional Record* reveals considerable discrepancy in the aims of the supporters of the legislation. Some maintained that there was a "debt" to be paid.[13] Some held adjusted compensation to be "adjusted pay."[14] Others held that "the government is under moral obligation to discharge a belated debt of justice and gratitude."[15] There was a measure of agreement, however, that "whatever rights the soldier may have manifestly cannot be established in a court of law."[16] President Coolidge met the bill with a veto in which he said: "We have no money to bestow upon a class of people that is not taken from the whole people. Our first concern must be the nation as a whole. This outweighs in its importance the consideration of a class and the latter must yield to the former. . . . If we now confer upon a class a gratuity such as is contemplated by this bill, we diminish to the extent of the expenditures involved the benefits of reduced taxes which will flow not only to this class but to the entire people. . . . The expenditures proposed in this bill are against the interests of the whole people. . . . No one supposes the effort will stop here. Already suggestions are made for a cash bonus, in addition, to be paid at once. . . . The intent of this bill now to provide free insurance lacks both a legal and a moral requirement, and falls into the position of a pure gratuity. . . ."[17]

[9] U. S. *Stat. at Large*, Vol. 40, Pt. i, p. 1151. A similar measure granted $60 to war-time civilian workers on their discharge.

[10] *Cong. Rec.* Vol. 59, Pt. 4, p. 3527; *Ibid.*, Vol. 62, pp. 12751, 12785.

[11] *Commercial and Financial Chronicle*, Vol. 115, Pt. 1, p. 1384.

[12] *Cong. Rec.*, Vol. 65, Pt. 8, p. 7626. Compensation was determined by calculating what $1 per day for service in America and $1.25 per day for service outside of America, plus 25 per cent contributed by the government, would purchase in commercial endowment insurance at the applicants' present age.

[13] *Ibid.*, Vol. 65, p. 1413.

[14] *Ibid.*, Vol. 65, p. 6770.

[15] *Ibid.*, Vol. 65, p. 4180.

[16] *Ibid.*, Vol. 65, p. 5537.

[17] *Commercial and Financial Chronicle*, Vol. 118, Pt. 2, p. 2386.

The veto was over-ridden,[18] the bill becoming law on May 19, 1924.[19] An amendment providing that the Treasury might "loan" veterans cash up to 50 per cent of the face value of their certificates met and passed over a veto by President Hoover. In his message returning the legislation, he followed the reasoning of his predecessor, as follows: "When the bonus act was passed, it was upon the explicit understanding of the Congress that the matter was closed and the government would not be called upon to make subsequent enlargements. . . . The sole appeal made for the reopening of the bonus act is the claim that funds from the national treasury should be provided to veterans in distress as a result of the drought and business depression. . . . The breach of fundamental principle in this proposal is the requirement of the federal government to provide an enormous sum of money to a vast majority who are able to care for themselves and who are caring for themselves. . . . Adoption of the principle of aid to the rich or to those able to support themselves in itself sets up a group of special privilege among our citizens."[20]

Since 1928, constant pressure has been exerted upon Congress to pay the bonus in full immediately. In 1932, only strong executive pressure upon the Senate prevented that body from stampeding before a bill passed by a large majority in the House.[21] In September, 1932, the American Legion convention officially went on record "demanding" immediate cash payment of the bonus.[22] It is safe to say that this movement will continue to plague American politics until 1945 when payment is due, or until Congress bends before the will of the minority and orders prepayment. To the demand for a bonus, the cry for old age pensions will certainly and soon be added.

Efforts to test the veterans gratuity legislation in the federal courts have met with singular failure. The records are practically devoid of pension, gratuity, or preference cases. Following the passage of the 1924 act, a group of New York lawyers (and veterans) sought to get a judicial ruling on the Adjusted Compensation Law, and upon the right of Congress to pass such legislation. A petition filed in the supreme court of the District of Columbia asked the court to find "that the assets and revenues of the United States be decided to be a public trust for the limited public uses and objects of the United States; that the so-called World War Adjusted Compensation Act of the 68th Congress be adjudged to be a mere bonus gift and not a provision for the payment of a moral, legal, or equitable debt of the United States; that it be decreed that the distribution of

[18] *Cong. Rec.*, Vol. 65, Pt. 9, pp. 8813–8814, 8871.
[19] *U. S. Stat. at Large*, Vol. 43, Pt. 1, p. 121 ff.
[20] *Cong. Rec.*, Vol. 74, Pt. 8, pp. 6168–6170.
[21] *Ibid.*, Vol. 75, Pt. 12, pp. 13053–13054, 13277.
[22] *New York Times*, Sept. 16, 1932.

moneys and gratuitous insurance policies among war veterans as a class, the establishment of a fund in the Treasury of the United States by the 68th Congress with authorization by it for appropriations to be made by subsequent Congresses into said insurance fund, were and are not such activities, objects, and methods as are within the express or implied powers of the federal government; and that the waste and diversion of public funds and revenues contemplated and the issuance of gratuitous policy certificates be prevented."[23]

Adopting the reasoning of the Supreme Court in the then recent case of Massachusetts v. Mellon,[24] the District of Columbia court refused adjudication on the ground that an individual or small group of citizens could not call into question or impede the spending of public funds. A petition in mandamus filed with the Supreme Court of the United States praying that the District of Columbia court be directed to adjudicate the question of constitutionality was quashed without written opinion.[25]

Adding these post-war cases to the earlier cases of U.S. v. Hall and U.S. v. Teller, there would appear to be a clear line of judicial policy permitting Congress to do whatsoever it pleases concerning veterans legislation without fear of judicial restraint. The limitation placed upon judicial hearing of civil war pensions and bounties would appear to have been voluntarily extended by the Supreme Court to similar legislation for veterans of foreign wars.

The point was made in Congressional debate, and in presidential vetoes, that the money was being appropriated to pay a debt which, if it existed as a debt, was at best a moral or equitable one. The Supreme Court in U.S. v. Realty Co.[26] gave Congress unlimited power to determine what constitutes "debts" which the Constitution, in Article I, section 8, gives it the authority to pay.

The power of Congress to raise and support armed forces is plenary. It may be questioned, however, whether the control extends to the individuals composing the armed forces after their demobilization. Certainly the average citizen would not tolerate positive military control in peacetime. Bonus legislation and adjusted compensation react upon the government and upon the public by requiring the continuance of war-time financing. From the argument that adjusted compensation was an adjustment of war wages, Presidents Harding, Coolidge, and Hoover unanimously dissented. However, if it be maintained that adjusted compensation is in reality such an adjustment, the Constitution would seem to

[23] *New York Times*, Dec. 20, 1924.
[24] 262 U.S. 447, 486.
[25] 270 U.S. 631; *New York Times*, Jan. 20, 1925.
[26] 163 U.S. 427, 440–441.

offer one positive objection to the method of payment which has been adopted. To the words granting Congress the power to raise and support armed forces, the following qualifying provision is added: "No appropriation of money to that use shall be for a longer term than two years." The obvious intent of this clause was to prevent one Congress from irrevocably binding subsequent ones. Yet the 1924 law binds successive Congresses to set aside public funds for the designated object for twenty years.

The final ground upon which advocates of the bonus justify legislation is the right of Congress to "provide for the common defense and general welfare of the United States." In the absence of any case on record extending or limiting the general interpretation of this clause in the matter of veterans legislation, we may accept Mr. Warren's conclusion concerning the power of Congress to determine what constitutes "general welfare." This is that so far as the Supreme Court is concerned, Congress has unlimited power to determine what is or is not an object of "general welfare."[27] If Congress appropriates without question for sufferers from crop failures, floods, grasshopper ravages, fires, tornadoes, political conditions in Mexico or Russia, droughts, earthquakes, or prolonged wet conditions,[28] it seems difficult to draw a line that will prevent it from appropriating in favor of persons who underwent the mental or physical suffering involved in military service.

Thus the early practice of extending benefits and preferences to retired soldiers has been gradually expanded by precedent, by the adoption of the Fourteenth Amendment, by judicial silence, evasiveness, or acceptance, and by Congressional initiative into the most expensive and elaborate pension and gratuity system in the world.[29] While it may be difficult for the strict constructionist to justify grants to veterans of foreign wars without constitutional amendment, the attitude of the bench would seem to be that no necessity for such amendment exists.

This brief study indicates that several interesting developments are taking place in American constitutional government. In the first place, the historic principle that public funds must be used for public ends is being changed to permit Congress to use public funds for whatever purpose it chooses, including their conferment upon private individuals or favored groups. In the second place, the Fourteenth Amendment and judicial action have established the principle that the citizen cannot bring his government to account in the courts for the use of public funds. In the third place, sufficient precedent is now established to indicate that a

[27] Warren, *op. cit.*, p. 143. See also Edward S. Corwin, "The Spending Power of Congress," *Harvard Law Review*, Vol. 36 (1923).

[28] Warren, *op. cit.*, p. 127.

[29] *New York Times*, June 5, 1932.

very costly gratuity system must be set up following every engagement of the armed forces of the country. Finally, the history of adjusted compensation and all previous pension legislation bears witness to the helplessness of American government to protect the citizens and taxpayers from the raids and spoliations of highly organized minority lobbies. It indicates clearly that more powerful agencies of protection than two houses of a legislature and a single executive veto—which may be overridden with ease by a stampeded legislature—are needed in our system.

NORMAN J. PADELFORD.

Colgate University.

Supervision of Field Services in the United States Revenue Administration. The two revenue-collecting services of the United States government offer interesting contrasts in the methods used for the administrative control of their respective field services. This arises in large part from the fact that the Bureau of Customs has been the more decentralized service. Ever since its establishment in 1789, and in the course of a long and continuous existence, it has built up a background of traditional decentralization which contrasts with the policy of centralization characterizing the Bureau of Internal Revenue. The latter service has a much shorter history, really beginning in 1862, although internal taxes were levied by the federal government from 1791 to 1802, and from 1813 to 1817. By virtue of the fact that Congress conferred administrative powers directly upon the commissioner of internal revenue, rather than upon the Secretary of the Treasury (as was done in the case of the customs service), a more integrated and centralized system of control has been used in the internal revenue service since the beginning of its existence.[1]

The contrasting administrative policies of the two services have led to the situation now existing, in which the field establishments of both are of approximately the same size (the customs field service numbering about 9,200 officers and employees, and the internal revenue field service including approximately 8,200), while the departmental services in Washington number 191 in the Bureau of Customs and 3,424 in the Bureau of Internal Revenue. It should be added, however, that the large size of the departmental branch of the Bureau of Internal Revenue is due principally to the administration of the income tax. Prior to the introduction of this tax into the federal revenue system in 1913, the ratio between the size of the departmental and field services of the bureau was more nearly that now found in the Bureau of Customs.[2] Of the 3,424 employees in the Washington office in 1932, approximately 2,100 are in the income tax unit alone, and a number of officers in other divisions are largely concerned with the administration of the income tax.[3] Although since 1924 much of the work of auditing tax returns, which constitutes

[1] Act of July 31, 1789 (1 St. L., 29), establishing the customs service; act of July 1, 1862 (12 St. L., 432), establishing the internal revenue service.

[2] In 1913, there were approximately 280 employees in the Washington office, and 3,584 employees in the field. *Annual Report of the Commissioner of Internal Revenue, 1913*, p. 5 ff.

[3] *Treasury Department Appropriation Bill, 1933, Hearings before Subcommittee of the House Committee on Appropriations in Charge of*, p. 261 ff. Hereafter this annual series of hearings will be cited as "Treasury Department Appropriation Bill [date], Hearings before House Sub-committee . . ."

the most difficult task in administering the income tax, has been transferred to the field services of the Bureau of Internal Revenue, nevertheless the administration of this tax is more centralized than is that of other federal taxes, including other internal taxes administered by the bureau.

The Bureau of Customs. The field establishment of the Bureau of Customs is divided into two parts: the customs collection service composed of the collectors, their deputy collectors, and other subordinates, to the number of some 9,000 officers and employees; and the customs agency service, which is the investigative branch of the field establishment, with about 200 agents and other employees. As the larger of the two branches, the customs collection service has presented the more important administrative problems.

Major problems of the collection service recently dealt with center around the supervision of the presidential appointees who are at the head of important field units of the customs service, including the collectors of customs, the comptrollers of customs, the surveyors of customs, and the appraisers of merchandise. This problem has been simplified materially by a reduction in the number of these officers appointed by the President with approval of the Senate—a reduction which has been effected through a reduction in the number of districts to which collectors of customs are appointed,[4] and by abolishing the office of surveyor of customs and appraiser of merchandise at all ports except New York.[5]

With respect to officers appointed by the President with the advice and consent of the Senate, as is well known, political considerations largely determine the President's action, and the executive ability or technical qualifications of candidates often have little to do with the decisions reached. In seeking to increase the efficiency of its field services, therefore, the Bureau of Customs has faced the possibility that men appointed to these important positions may lack the training and ability, as well as interest, necessary for the satisfactory discharge of their official duties in administering the rather technical provisions of the tariff and other customs laws. Steps have therefore been taken in recent years to make sure that the duties of the collector and the comptroller, and other officers who until recently were appointed by the President, shall be performed satisfactorily whether or not the actual incumbents of these offices are active and efficient.

The first step in this direction was taken several years ago when the bureau adopted the policy of putting in the office of each presidential appointee a permanent civil service employee as an assistant. Thus it

[4] The last reduction in the number of districts was made by executive order under the act of August 24, 1912, lowering the number from 126 to 49, the present figure.

[5] Effected by the Economy Act of July 5, 1932 (72 St.L., 580).

came about that by 1923 certain clerks in the classified civil service were drawing salaries as high as $6,500 a year, and were acting as assistant collectors, assistant comptrollers, assistant surveyors, and chief assistant appraisers.[6] The administrative status of these clerks was then recognized in the act of March 4, 1923,[7] which provided that collectors, comptrollers, surveyors, and appraisers should each appoint, with the approval of the Secretary of the Treasury, a customs officer familiar with customs law and procedure to act and be known as the assistant collector, assistant comptroller, and so on, the Secretary of the Treasury being authorized to fix the compensation of these officers. The assistants remained in the classified civil service, as before, and following their appointment could not be demoted or removed except for cause and in accordance with civil service regulations.

The rôle of these assistants, who, although in a subordinate position, have done so much to meet the problem of what to do about political appointees in important administrative positions, deserves special comment, particularly in view of the efforts made along the same line in more recent years by the Bureau of Internal Revenue. The important points about the assistant are the fact that he must be appointed from among experienced customs officers and the fact that he remains in office through successive terms of the presidential appointees, regardless of what political party has placed its candidate in the White House. The assistant, furthermore, stands between the presidential officer and all subordinate customs officers, practically all of whom are in the classified civil service,[8] and he is possessed of superior knowledge of customs practice and procedure. He is thus in a position to guide the administrative actions of the collector, or other presidential appointee, whom he may serve as assistant, and can even relieve the latter of the performance of the duties of his office if he takes little interest in customs administration.

The important position of the collector as the chief customs officer in each customs collection district (responsible for the proper collection of all duties upon goods entered in his district which are subject to tax under the complex American tariff laws, and having under his supervision anywhere from one to twenty sub-ports, customs stations, and airports designated as ports of entry for aircraft) indicates how important to the effective administration of the customs laws is the adequate performance of the duties of the office. In the assistant collector of customs,

[6] L. F. Schmeckebier, *The Customs Service*, p. 30.

[7] 42 St.L., 1450.

[8] Deputy collectors of customs are under civil service, although deputy collectors of internal revenue were excepted from the classified civil service by the act of October 22, 1913 (38 St.L., 180).

the Bureau of Customs has a permanent, trained officer who is in a position to see that those duties are fully and satisfactorily performed.

In the comptrollers of customs is found additional evidence of the essentially decentralized form of organization characteristic of the customs service, for the auditing duties of these officers are such as are usually performed in the departmental service rather than in the field. The policy of having this auditing work done in the field was adopted because many of the papers necessary for the verification of collectors' accounts must remain in the field offices for convenience in the daily transaction of business. Since it was not feasible to move such papers to the central office, the auditing process was moved into the field.[9]

Originally intended to be a check upon the accuracy and integrity of the collector, the comptroller of customs (formerly the naval officer) was once required, as an independent officer, to countersign all documents and records issued by the collector. As supervision over the collector by the departmental officers became more effective, the function of the comptroller gradually changed to that of an auditor who reviews the accounts of the collector as the independent representative of the department. He is required not only to check the mathematical accuracy of the customs accounts, but to observe whether each importation has been classified properly by the collector and to see that the tax which has been collected was based upon a proper finding regarding the value thereof. In recognition of the new rôle of the comptroller in customs administration, the tariff act of 1930 removed the old requirement that he countersign all documents issued by the collector.[10]

The comptroller, as has been indicated, is appointed in the same way as is the collector; and under the act of 1923 the office of assistant comptroller was created in order to make sure that the duties of the office should be performed adequately, regardless of whom the President might name to the office of comptroller. This officer is appointed in seven headquarters ports of customs collection districts. But since 1922 comptrollers have

[9] A controversy arose between the Comptroller-General of the United States and the Treasury Department over this audit of collectors' accounts by the comptrollers of customs, the former asserting that he could not properly settle customs accounts on the certification of customs comptrollers. In 1923, he requested that the original papers covering customs transactions be transmitted to the General Accounting Office for audit, but his request was refused by the Treasury on the ground that such papers were required in the field for the conduct of customs administration and that the tariff act of 1922, section 515, required that such papers be deposited with the Customs Court. In the end, the Comptroller-General had to give way, although Congress took no action toward settling the matter with remedial legislation. See *Hearings of the House Committee on Ways and Means on H. R. 10939*, 69th Cong., 1st Sess.; also *House Report 1137*, 69th Cong., 1st Sess.

[10] Act of June 17, 1930 (46 St.L., 590), §523.

audited the accounts, not only of the collector in whose district the comptroller serves, but also of certain other collection districts assigned to each comptroller by the Secretary of the Treasury.[11]

The independent status of the comptroller as an officer appointed in the same manner as the collector, with subordinates named by himself in accordance with civil service rules in the same way that the collector nominates his subordinates, is in accord with the generally approved principle that an auditing officer should be independent of the administrative agents over whose accounts he exercises control. The Bureau of Customs, furthermore, has followed the policy of making the comptroller's administrative status coördinate with that of the collector. For example, when it was proposed in 1932 to abolish the position of the comptroller in the same way as in the cases of the surveyor and appraiser, whose duties have now been taken over by deputy collectors, the move was opposed by the Bureau of Customs and the Treasury Department on the ground that it would interfere with the essential independence of the administrative field audit.[12] Customs regulations now in force declare that "the comptroller's office is a branch of the customs service, established in the field for the sake of convenience, economy, and efficiency in making prompt examination and verification of the merchandise and money accounts of collectors of customs."[13]

In supervising the operations of the collection service, the Bureau of Customs relies to a considerable extent upon the investigative branch of the customs field establishment, the customs agency service, as a means of keeping informed on the work of the collectors of customs and their subordinates. Not only are customs agents used to make semi-annual audits of the accounts of collectors' offices, but from the ranks of the customs agents are drawn also the officers who compose the district examination commission which makes occasional detailed studies of the administrative efficiency of the several customs collection districts.

The semi-annual audit of field-office accounts is made by customs agents in the course of their regular travels throughout their customs agency districts (which include one or more collection districts) making general investigations regarding customs matters. The object of this examination of accounts is to see that they are maintained in accord

[11] Comptroller ports are Boston, New York, Philadelphia, Baltimore, Chicago, New Orleans, and San Francisco. The act of September 21, 1922 (42 St.L., 858), required that accounts of all collectors be audited by comptrollers, and authorized the Secretary to assign to each comptroller a group of collection districts the accounts of which he was to audit.

[12] *Treasury and Post Office Departments Appropriation Bill, 1933, Hearings Before Senate Sub-committee*, p. 6.

[13] *Customs Regulations of the United States, 1931*, Art. 1193.

with bureau regulations, and that they agree with the accounts maintained in the Washington office. These agents have no authority to order a change in accounting methods, their function being limited to making recommendations to the bureau as to what should be done to correct errors.[14]

In supervising the field services, the Bureau of Customs has had to take account of the wide difference in local conditions to be found among the various customs districts which makes it difficult to impose any uniform type of organization and method of operation in all parts of the collection service. The activities of certain districts, for example, consist largely of border patrol work, as at Detroit, where a patrol must be carried on upon the river forming the international boundary, and at Great Falls, Montana, which has charge of a considerable portion of the northern border. Inland districts handle only goods entered at another port and shipped under bond to the port of delivery; while about one-third of the total field personnel of the customs service is located at New York.[15] In seeking to secure a higher degree of efficiency among the collection districts, therefore, the Bureau of Customs has adopted the policy of studying each field unit as a case to be considered on its own merits, instead of attempting to mold all field offices on a single pattern.

To further this policy, the interesting device of a permanent efficiency commission was adopted by the bureau in May, 1928, when a district examination commission was organized for the purpose of promoting uniformity in customs procedure, giving instructions in the proper use of forms, eliminating unnecessary records, improvised and unauthorized forms, and increasing the efficiency of the customs field service.[16] The personnel of this commission is drawn from the higher ranks of the customs agency service (which is independent of the collection service), customs agents being detailed to the commission temporarily upon the recommendation of the head of the customs agency service.[17]

In examining the affairs of a customs collection district, the commission makes a detailed study of office management and procedure, accounting

[14] *Customs Regulations, 1931*, Arts. 1382 (c) and 1386.

[15] Variations among collection districts in the size of their personnel are shown by the following figures: New York, 3,548; Boston, 550; San Francisco, 382; Seattle, 291; New Orleans, 282; Baltimore, 249; Chicago, 200; Los Angeles, 143; Great Falls (Mont.), 65; St. Louis, 45; Louisville, 6; and Salt Lake City, 3. (Letter from the Commissioner of Customs to the writer, March 31, 1933.)

[16] This was not an innovation in the service, for Treasury Decision 34275 (March 16, 1914) had established a board of nine members who were experts in customs administration. At the request of a collector, this board was to make studies of customs offices and recommend to the collector improved methods and procedure. The board existed for three or four years.

[17] *Customs Regulations, 1931*, Art. 1382.

methods, personnel and space needs, and the general efficiency of the collector's force. The object of these examinations is to furnish the bureau with full information concerning the practical operations of the customs field units, and the report of the commission is supposed to show the exact condition of the collection service. In making its survey, the commission is expected to keep in mind the fact that while it is possible to follow out certain general principles of good administrative practice in all customs districts, in actually applying these principles the peculiar needs of each district are not to be overlooked.[18] The Bureau of Customs relies upon the surveys, together with the resulting recommendations, made by this district examination commission as a material aid in raising the efficiency of the customs collection service.

The Bureau of Internal Revenue. With the advent of the income tax into the federal revenue system in 1913, and the extraordinary expenditures of the World War period which necessitated huge increases in internal taxation, the Bureau of Internal Revenue has lately come through a critical period of expansion and reorganization.[19] During the stress of the war period, furthermore, the bureau was called upon to administer a new and complex income tax law which had become the principal source of income for the national government. Only recently has the bureau attained a stage of relative stability; the heavy personnel turnover which was such a problem during the period of war-time expansion has since fallen to a normal figure, and taxpayers and revenue officers alike have become familiar with the workings of the income tax.

The Bureau of Internal Revenue, as it stands today, is therefore quite different from the agency which administered the stamp and other excise taxes of twenty years ago. The results of the change in the federal revenue system upon the administrative agencies charged with revenue collection is nowhere more evident than in the field establishment of the bureau, where the duties of many officers have been radically changed and a notable expansion has taken place as a result of the more decentralized administration of the income tax. The force of internal revenue agents is no longer a small body of about 60 agents (as in 1913) engaged in making general investigations into internal revenue matters. It has grown into a nation-wide organization of over 3,000 auditing officers engaged in making examinations of income tax returns in order to ascertain whether taxpayers have properly estimated the amount of tax due the government. Similarly, the force of deputy collectors of internal revenue has been re-

[18] *Manual for the Use of United States Customs Agents Making Port Examinations, Form 601—Revised* (September, 1929).

[19] In a single year, internal revenue receipts increased four-fold—from $809,393,640 in the fiscal year 1917 to $3,694,619,638 in 1918—as a result of war-revenue legislation.

organized to meet the new conditions. No longer is the chief concern of the collector of internal revenue the collection of taxes upon distilled liquors and fermented beverages—such work has been turned over in large measure to the Bureau of Industrial Alcohol—but many of the deputy collectors are now engaged in examining the less complex returns for the smaller income group under the income tax law; and hence these officers, too, have become auditors.[20]

In supervising the operations of this reorganized field establishment, the Bureau of Internal Revenue has had to take into account not only the fact that collectors of internal revenue are appointed by the President, with the advice and consent of the Senate, without regard to civil service law and regulations (as in the case of the collectors of customs), but also the fact that approximately eighty per cent of the subordinates of these collectors are likewise appointed without regard to civil service regulations. Since 1913, all deputy collectors of internal revenue have been nominated by the collectors themselves, subject only to the limitation that their compensation is to be fixed by the Secretary of the Treasury upon the recommendation of the Commissioner of Internal Revenue.[21] The efforts of the bureau toward increasing the efficiency of the internal revenue collection service to meet the new conditions have therefore taken two directions: first, a closer supervision of the collectors; and second, the establishment of higher standards of requirements for appointment as deputy collector.

A change in the method of supervising the collectors of internal revenue was necessary when, in 1918–20, internal revenue agents were transferred to the task of auditing income tax returns in the field. One of the duties of these officers, all of whom were in the classified civil service, had formerly been the examination of collectors' offices to determine the state of accounts and the efficiency of personnel. Following the passage of the revenue act of 1917, all collectors' offices were brought under the direct charge of a supervisor of collectors, coördinate in rank with deputy commissioners of internal revenue. The revenue agents formerly engaged in examining collectors' offices were assigned to fourteen special field districts (called supervisory divisions), and were put under the direction of the supervisor of collectors. To indicate their new function, they were given the title of assistant supervisors of collectors' offices, and in view of the expansion of the collection service then in progress their numbers were considerably augmented.[22]

Subsequently, the office of the supervisor of collectors was abolished,

[20] On June 30, 1932, the personnel of the internal revenue collection service numbered 4,666, and the number of internal revenue agents was 3,441.

[21] *U. S. Code* (*1926*), Title 26, §29.

[22] *Annual Report of the Commissioner of Internal Revenue, 1920*, p. 27.

the officers examining collectors' offices becoming supervisors of accounts and collections. The latter were placed under the direction of the deputy commissioner in charge of an accounts and collections unit created in 1922 to handle all matters pertaining to the supervision of the collection service. The supervisors were assigned to 12 supervisory divisions, each of which includes five or six collection districts, and the supervisor in charge of each division has under his direction from one to six supervisors, depending upon the importance of the collection districts included within the division.[23]

Like the internal revenue agents from whose ranks they were originally drawn, the supervisors are in the classified civil service. Their long experience in internal revenue administration has qualified them not only to supervise, but also to train, the personnel of the collection districts, and the bureau has used them for both purposes. Their services have also been useful, from time to time, in organizing delinquent drives in collection districts in which the collector and his officers have failed to cover their territory as completely as efficient administration of the taxes demands.

About twice a year, each collector's office is visited by a supervisor, who makes a detailed audit of all accounts. In more important districts, two or three supervisors conduct the audit. The main purpose of this audit is to maintain agreement between the accounts of the collector and the amounts charged against him on the books in Washington.[24] The supervisor is expected also to examine the methods of office management and general administrative operation of all offices in the collection district, including the offices of the various deputy collectors, who are under the general direction of the collector at the headquarters of the district. The supervisor's report to the accounts and collections unit includes such matters as the general efficiency of the collector's force, the personnel needs, need for new equipment or replacement of worn-out office appliances, and other special information required by the bureau.

The fact that most of the officers of the collection service are appointed without regard to civil service regulations gives one phase of the work of the supervisor—that regarding personnel—special importance. With the introduction in 1922 of the practice of annually rating employees of the collection service on the basis of their efficiency, collectors were required to submit these efficiency ratings to the supervisor in charge of the division for review and approval. The latter, as a result of inspections and reports made by supervisors in his division, is in a position to make comments valuable to the bureau on the ratings as submitted by the collector before

[23] On June 30, 1932, there were 34 supervisors of accounts and collections.

[24] Not until 1924 did the bureau succeed in getting the accounts of all collectors to agree with those in the Bureau of Internal Revenue. *Annual Report of the Commissioner of Internal Revenue, 1924*, p. 23–24.

forwarding them to the Washington office. As a result of this system, the bureau is assisted in acting more intelligently upon collectors' recommendations for promotions, and is in possession of information which may be utilized in considering the reduction in salary or dismissal of inefficient employees.[25]

In view of the fact that collectors of internal revenue are appointed in many instances without regard to their training or qualifications for the position, as in the case of the customs collectors, the Bureau of Internal Revenue has taken steps similar to those taken in the customs service prior to 1923 with a view to assuring that the duties of the collector shall be properly and adequately discharged. Since 1927, the collectors in most of the 64 internal revenue collection districts have designated their chief office deputy or chief clerk as the assistant to the collector.[26] While the status of the assistant to the collector of internal revenue is quite different from that of the assistant customs collector, it is apparent that the purpose of the Bureau of Internal Revenue in encouraging internal revenue collectors to select a subordinate as assistant is the same that moved the Secretary of the Treasury to put customs clerks in positions of responsibility, and caused them later to be recognized by Congress as assistant collectors. Briefly, this is another case where the bureau concerned has taken steps to provide for the possibility that an untrained individual may be appointed by the President to an important administrative position in the field. It will be observed, however, that the Bureau of Internal Revenue has not gone so far as to require that a civil service officer be appointed as assistant to the collector; nor, indeed, is the internal revenue collector required to appoint an assistant at all.

As the principal subordinate of the internal revenue collector, the assistant to the collector fills what may be regarded as a key position in the collection service, although his administrative standing is by no means as strong as is that of the assistant collector of customs. His duties include the direct supervision of the office organization of the collector of internal revenue, and he advises the collector and the public in matters pertaining to internal revenue laws and regulations. He also has general supervision over the field force of the collector, including the chief field deputy and deputies in charge of subdivisions of the collection district. He assumes the duties of the collector in the latter's absence.[27] It should be noted,

[25] *Internal Revenue Manual*, Part I, Title III (1927 edition).

[26] Clerks in the internal revenue service are under civil service, but all deputies are excepted from the civil service law. In 1932, 13 clerks were serving as assistants and 39 as deputies. In 12 districts, the collector had not selected an assistant. *Official Register of the United States, 1932.*

[27] Letter from the Commissioner of Internal Revenue to the writer, March 21, 1933.

however, that his tenure of office as assistant is dependent upon the discretion of the collector, who is free to appoint any one of his subordinates as his assistant, and that the position of assistant was created as a matter of bureau policy and without statutory authority. Up to the present time, deputy collectors and civil service clerks who have been selected by the collectors of internal revenue as their assistants have been men with considerable experience in the internal revenue service. Despite the comparatively weak administrative status of the assistant to the collector of internal revenue, pressure brought to bear upon the collectors by the bureau to retain experienced assistants may give the stability to this office which is requisite for the accomplishment of the object for which it was created.

As a further measure for raising the efficiency of the collection service, the Bureau of Internal Revenue has taken steps toward improving the character of the personnel by raising standards of minimum qualifications for candidates for appointment as deputy collectors. The bureau has been able to enforce these standards by virtue of the fact that deputy collectors, by statute, are "to be compensated for their services by such allowances as shall be made by the Secretary of the Treasury, upon the recommendation of the Commissioner of Internal Revenue."[28] Beginning in 1920, applicants for the position of deputy collector of internal revenue were required either to have graduated from a high school, completed a course in accounting, served as a bookkeeper in charge of a complete set of double-entry books for at least a year, practiced law, or to have been in some other work which would give the necessary training.[29] Since the date mentioned, standards have been raised further, and at the present time each candidate for appointment must have graduated from a high school, and must have two years of experience in bookkeeping or accounting, a good knowledge of double-entry bookkeeping, and ability to understand and apply internal revenue laws, regulations, and decisions relating to the particular class of tax work in which the candidate will engage.[30] The language now employed requires that the candidate shall satisfy *all* the stated qualifications instead of any one, as was the case for some time after 1920.

Comparison of Methods of Supervision. The methods used by the Bureau of Customs and the Bureau of Internal Revenue in supervising the operations of their respective field establishments appear to be in line with the historical development of the two bureaus, differing chiefly because of the fact that the Bureau of Internal Revenue has been more centralized than

[28] *U. S. Code (1926)*, Title 26, §29.

[29] *Annual Report of the Commissioner of Internal Revenue, 1920*, p. 27; also *Internal Revenue Manual*, Part I, Title III (1927 edition).

[30] Letter from the Commissioner of Internal Revenue to the writer, February 7, 1933.

has the Bureau of Customs. In the early days of the customs service, the collectors were free from any detailed supervision by the departmental branch, and at the present time the variety of conditions existing in local customs districts makes a high degree of centralization in this service impracticable.[31]

In seeking to raise the efficiency of their field services, both bureaus have to contend with the fact that all collectors are appointed without regard to civil service law and regulations; in the customs service, important field auditors are similarly appointed; and in the internal revenue service, all deputy collectors (who constitute about eighty per cent of the collection service) are appointed by the collectors without regard to civil service. Both bureaus have sought to put in the offices of the presidential appointees experienced subordinates who will be able to see that the duties of the offices are discharged adequately. The Bureau of Customs has gone farther in this direction, for Congress has definitely authorized the creation of the position of assistant customs collector, and has provided that incumbents shall be permanent civil service officers appointed by reason of their experience. In the internal revenue service, no statutory provision has been made for such an officer, but the bureau has encouraged the collectors to select one of their subordinates to act as an assistant. Whether this assistant is an experienced and capable man rests entirely with the collector, however, and in 1932, 12 collectors had not made an appointment of the kind. This situation in the internal revenue service may be a transitory one which will lead to subsequent statutory provision for an officer similar to the assistant collector of customs. But at present the administrative stability of the internal revenue collection service is dependent to a considerable degree upon an assistant who, because of his uncertain administrative position, cannot be other than a very weak reed upon which to lean.

As might be expected of the more highly centralized Bureau of Internal Revenue, there are no field officers comparable to the comptrollers of customs who conduct continuous administrative audits of collectors' accounts in the field. In the internal revenue service, the continuous audit is carried on in the bureau at Washington, and occasional audits are made by a separate staff of field auditors, who examine the accounts of the internal revenue collectors about twice a year. The semi-annual audit of customs accounts is made by agents of the investigative branch of the customs field service.

In the matter of supervising the management methods of their respective field services, the Bureau of Customs uses a permanent efficiency and economy commission composed of customs agents temporarily detailed to

[31] The history of the customs service is outlined in the monograph by L. F. Schmeckebier cited above.

such work, while the Bureau of Internal Revenue relies upon the supervisors of accounts and collections—the independent officers who also make the semi-annual examination of field accounts. In the district examination commission, the Bureau of Customs has provided itself with an agency which is in a position to consider the administrative problems and methods of each customs district as a separate case; hence this system is especially adaptable to a decentralized field establishment such as the customs collection service. The supervisors of accounts and collections, on the other hand, as the field representatives of the head of the internal revenue collection service (the deputy commissioner in charge of the accounts and collections unit), are in a position to promote the greater uniformity of practice necessary for the efficient operation of the more centralized internal revenue collection service. The supervisors, furthermore, are able to exercise the more detailed supervision over the collection service made necessary by the fact that, in contrast with the customs collection service, a large proportion of the personnel in the internal revenue collection service is excepted from civil service law and regulations.

CARROLL K. SHAW.

Washington, D.C.

Organization of the Executive Branch of the National Government of the United States. A Tabular View Showing Changes Made Between March 4 and November 1, 1933. Exceptionally rapid and drastic changes in the functional and structural aspects of the executive branch of the national government of the United States since the advent of the Roosevelt administration tend to leave the observer in a condition of bewilderment, from which he may to some degree be rescued by the guide furnished below. The outline was prepared by the staff of the Institute for Government Research of the Brookings Institution of Washington, and covers all major units of the Executive Departments with the exception of those in the Department of Justice and in the Post Office Department and those supervising the military and naval activities in the War and Navy Departments. For the Department of Justice and the Post Office Department, the supervisory units headed by the assistant attorneys-general and the assistant postmasters-general are included in the terms "Legal Services" and "Postal Services." For the War and Navy Departments, the designations "Military Services" and "Naval Services" include all of the units supervising these branches. The outline includes also the independent establishments, and in some cases subordinate units are listed. The emergency organizations listed include only units specifically authorized by law or established by the President under general authority vested in him. There are also boards, corporations, and com-

mittees which operate with or are advisory to many of the units listed, and in addition some duties have been delegated to existing agencies which have not created separate units for extra work.[1]

New units or units transferred from other departments are indicated by CAPITALS; units abolished or transferred entirely to other units are indicated by *italics*. In some cases where duties have been transferred, the function only is listed, since the name of the unit taking over the work has not been announced. The notations indicate also limitations which do not affect the organization.

Department of Agriculture
- Bureau of Animal Industry
- Bureau of Plant Industry
- Forest Service
- Bureau of Biological Survey
- Bureau of Entomology
- Bureau of Plant Quarantine
- Food and Drug Administration
- Bureau of Chemistry and Soils
- Bureau of Public Roads
- Bureau of Agricultural Economics
- Office of Experiment Stations
  - Payments for agricultural experiment stations reduced 25 per cent by President Roosevelt (Executive Order No. 6166 of June 10, 1933; effective date deferred by Executive Order No. 6221 of July 26, 1933, until 60 days after convening of second session of 73rd Congress)[2]
- Extension Service
  - Payments for coöperative agricultural extension work reduced

[1] The reorganization of executive agencies effected by Executive Orders 6084 of March 27, 6145 of May 25, and 6166 of June 10 was authorized by section 16 of the act of March 3, 1933 (Public No. 428, 72nd Congress, 47 Stat. L., 1517), amending and reëacting sections 401 to 409 of the act of June 30, 1932 (Public No. 212, 72nd Congress, 47 Stat. L., 413).

The citations to the laws are to the separate prints of the acts and to the Statutes at Large. Separate prints of acts, referred to as "Public No.—," are numbered consecutively through each Congress, and may be obtained from the Superintendent of Documents at five cents each. When the outline herewith presented was sent to the printer, the volumes of the Statutes at Large cited were not available, but citations given apply to the unbound volumes known as the "session laws," the full title being *Session Laws, Statutes . . . passed at the . . . session of the . . . Congress . . . Part I, Public Acts*. The citations to Volume 47 apply to the public session laws for the second session of the 72nd Congress; those to Volume 48, to the public session laws for the first session of the 73rd Congress. Executive orders are published only in separate form, not being assembled in any official publication. The laws and executive orders are, however, printed in the *Supplements to Mason's U. S. Code*, annotated, published by the Citer-Digest Company, St. Paul, Minn., and in the *Supplements to the U. S. Code*, annotated, issued by the West Publishing Company, St. Paul, Minn., and the Edward Thompson Company, Northport, N. Y.

[2] Unless a special session is called, the second session of the 73rd Congress will begin on January 3, 1934.

25 per cent by President Roosevelt (Executive Order No. 6166 of June 10, 1933; effective date deferred by Executive Order No. 6221 of July 26, 1933, until 60 days after convening of second session of 73rd Congress)

Bureau of Home Economics
Weather Bureau
Grain Futures Administration
Bureau of Agricultural Engineering
Bureau of Dairy Industry

AGRICULTURAL ADJUSTMENT ADMINISTRATION—Authorized by act of May 12, 1933 (Public No. 10, 73rd Congress, 48 Stat. L., 31)

Crop Loan Production Office. Transferred by President Roosevelt to Farm Credit Administration (Executive Order No. 6084 of March 27, 1933, effective May 26, 1933)

Seed Loan Office. Transferred by President Roosevelt to Farm Credit Administration (Executive Order No. 6084 of March 27, 1933, effective May 26, 1933)

Department of Commerce

Coast and Geodetic Survey
Bureau of Navigation and Steamboat Inspection
Bureau of Lighthouses
Bureau of Foreign and Domestic Commerce
Bureau of the Census

Work of Preparing Official Register. Transferred to Civil Service Commission by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Bureau of Mines

Fuel Yards. Transferred to Procurement Division of Treasury Department by President Roosevelt (Executive Order No.6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidations, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President)

Patent Office
Bureau of Fisheries
Bureau of Standards
Aëronautics Branch

UNITED STATES SHIPPING BOARD BUREAU. United States Shipping Board abolished, and functions transferred to Department of Commerce by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

UNITED STATES SHIPPING BOARD MERCHANT FLEET CORPORATION. Functions transferred to Department of Commerce by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Department of the Interior

General Land Office
Bureau of Reclamation

National Park Service. Transferred to Office of National Parks, Buildings, and Reservations by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

OFFICE OF NATIONAL PARKS, BUILDINGS, AND RESERVATIONS. Created by President Roosevelt; organizations transferred to this office are National Park Service, Public Buildings Commission, Office of Public Buildings and Public Parks of the National Capital, Arlington Memorial Bridge Commission, National Memorial Commission, and Rock Creek and Potomac Parkway Commission; duties transferred are those of Office of the Quartermaster General relating to national cemeteries within the continental limits of the United States, national military parks, and national monuments, and those of Office of the Supervising Architect of the Treasury relating to maintenance of public buildings with the exception of Treasury and Post Office Department buildings and of such buildings chiefly employed in the work of a particular agency (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Executive Order 6228 of July 28, 1933, specified that 11 national cemeteries, with an area of 265.578 acres should be transferred to the Office of National Parks, Buildings, and Reservations, as follows: Battleground, District of Columbia; Antietam, Maryland; Vicksburg, Mississippi; Gettysburg, Pennsylvania; Chattanooga, Tennessee; Fort Donelson, Tennessee; Shiloh, Tennessee; Stone's River, Tennessee; Fredericksburg, Virginia; Petersburg, Virginia; and Yorktown, Virginia. The transfer of 75 other national cemeteries with a total area of 1879.3087 acres was "postponed until further order."

Geological Survey

SOIL EROSION SERVICE. Created in October, 1933, by Federal Emergency Administration of Public Works under authority of section 202 of the act of June 16, 1933 (48 Stat. L., 201).

Alaska Railroad

Office of Education

Payments for endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts reduced 25 per cent by President Roosevelt (Executive Order No. 6166 of June 10, 1933; effective date deferred by Executive Order No. 6221 of July 26, 1933, until 60 days after convening of second session of 73rd Congress)

FUNCTIONS OF FEDERAL BOARD FOR VOCATIONAL EDUCATION. Transferred to Department of Interior by President Roosevelt; board to act in an advisory capacity without compensation; payments for coöperative vocational education and rehabilitation reduced 25 per cent (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date of reduction in payments deferred by Executive Order No. 6221 of July 26, 1933, until 60 days after convening of second session of 73rd Congress)

Bureau of Indian Affairs

Board of Indian Commissioners. Abolished by President Roosevelt; records transferred to Secretary of Interior (Executive Order No. 6145 of May 25, 1933, effective July 24, 1933)

OFFICE OF DIRECTOR OF SUBSISTENCE HOMESTEADS. Work authorized by section 208 of act of June 16, 1933 (Public No. 67, 73rd Congress, 48 Stat. L., 205); duties conferred on Secretary of the Interior by President Roosevelt (Executive Order No. 6209 of July 21, 1933), with power to designate agents and agencies.

Office of Alaska Road Commission

Government of Hawaii

Government of Alaska

Government of Virgin Islands

District Court of the United States for the Virgin Islands

Transferred to Department of Justice by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

St. Elizabeth's Hospital

Freedmen's Hospital

Howard University

Office of Commissioner of War Minerals Relief

Department of Justice

Legal Services

PROSECUTION AND DEFENSE OF SUITS AND ACTIONS. All work of prosecuting and defending suits and actions exercised by any other agency transferred to Department of Justice by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933). Transfer of legal work of Veterans' Administration in connection with suits postponed to September 10, 1933 (Executive Order No. 6222 of July 27, 1933; transfer of Office of General Counsel of Bureau of Internal Revenue deferred by Executive Order No. 6244 of August 8, 1933, to October 10, 1933, with proviso that the transfer may be made effective in whole or in part prior to October 10 by joint action of the Secretary of the Treasury and the Attorney-General, approved by the President

Bureau of Investigation. Transferred by President Roosevelt to Division of Investigation (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

DIVISION OF INVESTIGATION. Created by President Roosevelt; duties transferred include all those of Bureau of Investigation and those of Bureau of Prohibition relating to investigations (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Bureau of Prisons

Bureau of Prohibition. All duties transferred by President Roosevelt as follows: granting of permits under national prohibition laws to Division of Internal Revenue, Treasury Department; investigatory work to Division of Investigation, Department of Justice; all other work to such divisions in the Department of Justice as the Attorney-General may designate (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Board of Parole

UNITED STATES COURT FOR CHINA. Transferred from State Department by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

DISTRICT COURT OF THE UNITED STATES FOR THE PANAMA CANAL ZONE. Transferred from Panama Canal Office by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to October 4, 1933, by Executive Order No. 6243 of August 5, 1933; effective date postponed to November 4, 1933, by Executive Order No. 6301 of September 30, 1933)

DISTRICT COURT OF THE UNITED STATES FOR THE VIRGIN ISLANDS. Transferred from Interior Department by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

National Training School for Boys

Department of Labor

United States Conciliation Service

Bureau of Labor Statistics

Bureau of Immigration. Consolidated by President Roosevelt with Bureau of Naturalization to form Immigration and Naturalization Service (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Bureau of Naturalization. Consolidated by President Roosevelt with Bureau of Immigration to form Immigration and Naturalization Service (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

IMMIGRATION AND NATURALIZATION SERVICE. Created by President Roosevelt by consolidation of Bureau of Immigration and Bureau of Naturalization (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Children's Bureau

Women's Bureau

UNITED STATES EMPLOYMENT SERVICE. New service created by act of June 6, 1933; previous service abolished, effective September 6, 1933 (Public No. 30, 73rd Congress, 48 Stat. L., 113)

United States Housing Corporation

Navy Department

Naval Services

Non-Naval Services

Bureau of Navigation

Hydrographic Office

Naval Observatory

Island Governments

Guam

American Samoa

Naval Petroleum Reserve Division

Post Office Department

Postal Services

MAINTENANCE OF POST OFFICE BUILDINGS. Transferred from Office of Supervising Architect of the Treasury by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers,

consolidations, or eliminations in whole or in part may be made operative before December 31, by order of the Secretary of the Treasury, approved by the President)

Department of State
- Division of Far Eastern Affairs
- Division of Near Eastern Affairs
- Division of Eastern European Affairs
- Division of Western European Affairs
- Division of Latin American Affairs
- Division of Mexican Affairs
- Office of Legal Adviser
- Office of Historical Adviser
- Division of Research and Publication
- Office of Economic Adviser
- Division of Communications and Records
- Translating Bureau
- Office of Coördination and Review
- Division of Current Information
- Treaty Division
- Visa Division
- Passport Division
- Division of Foreign Service Administration
- Consular Commercial Office
- Division of Protocol and Conferences
- Division of Foreign Service Personnel
- Foreign Service School
- Bureau of Accounts
- Foreign Service Building Office
- NATIONAL CEMETERIES IN FOREIGN COUNTRIES. Transferred by President Roosevelt from Office of Quartermaster General, War Department. (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; Executive Order No. 6228 of July 28, 1933, postpones this transfer "until further order")
- *United States Court for China.* Transferred to Department of Justice by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)
- International Joint Commission (United States and Canada)
- International Boundary Commission (United States, Alaska, and Canada)
- International Boundary Commission (United States and Mexico)
- International Fisheries Commission (United States and Canada)
- Mixed Claims Commission (United States and Germany)
- Tripartite Claims Commission (United States, Austria, and Hungary)

Treasury Department
- Office of Treasurer of the United States
  - National Bank Redemption Agency
- DIVISION OF DISBURSEMENT. Created by President Roosevelt; absorbs disbursing offices in all departments and independent establishments, and has charge of disbursement of all moneys of the United States (Executive Order No. 6166 of June 10, 1933,

effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidation, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President

Bureau of Customs

Bureau of Internal Revenue. Consolidated by President Roosevelt with Bureau of Industrial Alcohol to form Division of Internal Revenue (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidations, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President. Executive Order No. 6166 of June 10, 1933, also transferred to the Department of Justice all work of prosecuting and defending suits and actions exercised by any other agency; Executive Order No. 6244 of August 8, 1933, deferred to October, 10, 1933, the transfer of such work in so far as it pertains to the Office of the General Counsel of the Bureau of Internal Revenue, with proviso that they may be made effective in whole or in part prior to that date by joint action of the Secretary of the Treasury and the Attorney General, approved by the President)

DIVISION OF INTERNAL REVENUE. Created by President Roosevelt; includes former Bureau of Internal Revenue, former Bureau of Industrial Alcohol, and the work formerly done by the Bureau of Prohibition in the Department of Justice in connection with issuance of permits under the national prohibition law (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidation, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President

Bureau of Industrial Alcohol. Consolidated by President Roosevelt with Bureau of Internal Revenue to form Division of Internal Revenue (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidation, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President)

Office of Commissioner of Accounts and Deposits

Division of Bookkeeping and Warrants

Division of Deposits

Office of Commissioner of the Public Debt

Division of Loans and Currency

Division of Public Debt Accounts and Audit

Division of Paper Custody

Office of Register of the Treasury

Bureau of the Mint

Section of Financial and Economic Research
Office of Government Actuary
Office of Comptroller of the Currency
Bureau of Narcotics
Secret Service
Federal Farm Loan Board and Federal Farm Loan Bureau. Board abolished by President Roosevelt and functions of Board and Bureau transferred to Farm Credit Administration (Executive Order No. 6084 of March 27, 1933, effective May 26, 1933)
Bureau of Engraving and Printing
Coast Guard
Life Saving Service
Bureau of the Public Health Service
National Institute of Health
Office of Supervising Architect of the Treasury. Transferred by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933) as follows: Construction work to Procurement Division, Treasury Department; maintenance work in part to office of Secretary of Treasury, in part to Post Office Department, and in part to Office of National Parks, Buildings, and Reservations, Interior Department; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidations, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury approved by the President)
General Supply Committee. Abolished by President Roosevelt; duties transferred to Procurement Division, Treasury Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidations, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President)
PROCUREMENT DIVISION. Created by President Roosevelt; duties transferred to Procurement Division are the following: those of Construction unit of Office of Supervising Architect of the Treasury, of General Supply Committee, Treasury Department, and of Fuel Yards of Bureau of Mines, Department of Commerce (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933 by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidations, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President)
Bureau of the Budget
Federal Coördinating Service. Abolished by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date deferred to October 10, 1933, by Executive Order No. 6239 of August 2, 1933, with proviso that the abolition may be made effective between August 10 and October 10, 1933, by order of the President)

MAINTENANCE OF TREASURY DEPARTMENT BUILDINGS. Transferred from Office of Supervising Architect by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to December 31, 1933, by Executive Order No. 6224 of July 27, 1933, with proviso that transfers, consolidations, or eliminations in whole or in part may be made operative before December 31 by order of the Secretary of the Treasury, approved by the President)

War Department
Military Services
Non-Military Services
Office of Chief of Engineers
Board of Engineers for Rivers and Harbors
Mississippi River Commission
California Debris Commission
Northern and Northwestern Lakes Survey
Office of Chief Signal Officer
Washington-Alaska Military Cable and Telegraph System
Quartermaster General

National Cemeteries. National cemeteries in the United States transferred by President Roosevelt to Office of National Parks, Buildings, and Reservations, Interior Department; national cemeteries in foreign countries to State Department; and national cemeteries in insular possessions to Bureau of Insular Affairs, War Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Executive Order 6288 of July 28, 1933, specified that eleven national cemeteries, with an area of 265.578 acres should be transferred to the Office of National Parks, Buildings, and Reservations, as follows: Battleground, District of Columbia; Antietam, Maryland; Vicksburg, Mississippi; Gettysburg, Pennsylvania; Chattanooga, Tennessee; Fort Donelson, Tennessee; Shiloh, Tennessee; Stone's River, Tennessee; Fredericksburg, Virginia; Petersburg, Virginia; and Yorktown, Virginia. The transfer of 75 other national cemeteries with a total area of 1879.3087 acres was "postponed until further order"

Executive Order 6228 of July 28, 1933 "postponed until further order" transfer of national cemeteries in foreign countries to the State Department and the transfer of national cemeteries in insular possessions to the Bureau of Insular Affairs

National Military Parks and Battlefield Sites. Transferred by President Roosevelt to Office of National Parks, Buildings, and Reservations, Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933). The areas transferred are enumerated in Executive Order No. 6228 of July 28, 1933

National Monuments and Memorials. Transferred by Presi-

dent Roosevelt to Office of National Parks, Buildings and Reservations, Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933). The areas transferred are enumerated in Executive Order No. 6228 of July 28, 1933

Bureau of Insular Affairs

Government of Puerto Rico

Government of Philippine Islands

Dominican Customs Receivership

ADMINISTRATION OF NATIONAL CEMETERIES IN INSULAR POSSESSIONS. Transferred by President Roosevelt from Office of Quartermaster General (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; Executive Order No. 6228 of July 28, 1933 postpones this transfer "until further order")

Independent Establishments

Interstate Commerce Commission

United States Shipping Board. United States Shipping Board abolished, and functions transferred to Department of Commerce by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

United States Shipping Board Merchant Fleet Corporation. Functions transferred to Department of Commerce by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Federal Radio Commission

Federal Power Commission

Federal Trade Commission

Federal Reserve Board

Federal Farm Board. Board and function abolished by President Roosevelt and all duties relating to winding up of stabilization corporations vested in Governor of Farm Credit Administration (Executive Order No. 6084 of March 27, 1933, effective May 26, 1933)

FARM CREDIT ADMINISTRATION. Created by President Roosevelt; units and functions transferred are Federal Farm Board (Board and functions abolished and all duties relating to winding up of stabilization corporations are vested in Governor of Farm Credit Administration); Federal Farm Loan Board (Board abolished); Federal Farm Loan Bureau; Crop Production Loan Office, Department of Agriculture; Seed Loan Office, Department of Agriculture; the functions of the Treasury Department and the Department of Agriculture under Executive authorizations to give aid to farmers dated July 26, 1918, and any extensions thereof; all functions of Secretary of Agriculture relating to advances to producers, except those pertaining to the Puerto Rican Hurricane Relief Commission; the functions of the Reconstruction Finance Corporation relating to management of regional agricultural credit corporations (Executive Order No. 6084 of March 27, 1933, effective May 26, 1933)

United States Tariff Commission

Federal Home Loan Bank Board

HOME OWNERS LOAN CORPORATION. Authorized by section 4 of act of June 13, 1933, (Public No. 43, 73rd Congress, 48 Stat. L. 129)

Federal Board for Vocational Education. Functions transferred to Department of the Interior by President Roosevelt; Board to act in an advisory capacity without compensation; payments for coöperative vocational education and rehabilitation reduced 25 per cent (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date of reduction in payments deferred by Executive Order No. 6221 of July 26, 1933, until 60 days after convening of second session of 73rd Congress)

United States Board of Mediation

United States Board of Tax Appeals

National Advisory Committee for Aëronautics

National Screw Thread Commission. Abolished by President Roosevelt; records, etc. transferred to Department of Commerce (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Smithsonian Institution

National Museum

National Gallery of Art

Freer Gallery of Art

Bureau of American Ethnology

Astrophysical Observatory

Division of Radiation and Organisms

Regional Bureau for United States, International Catalogue of Scientific Literature

National Zoölogical Park

Federal Oil Conservation Board

Reconstruction Finance Corporation

Functions relating to management of regional agricultural credit corporations transferred by President Roosevelt to Farm Credit Administration (Executive Order No. 6084 of March 27, 1933, effective May 26, 1933)

Functions relating to self-liquidating public works projects transferred to Public Works Administration by act of June 16, 1933 (Public No. 67, 73rd Congress, 48 Stat. L., 210)

Inland Waterways Corporation

Columbia Institution for the Deaf

United States Railroad Administration

FEDERAL EMERGENCY RELIEF ADMINISTRATION. Created by act of May 12, 1933 (Public No. 15, 73rd Congress, 48 Stat. L., 55)

TENNESSEE VALLEY AUTHORITY. Created by act of May 18, 1933 (Public No. 17, 73rd Congress, 48 Stat. L., 58)

OFFICE OF DIRECTOR OF EMERGENCY CONSERVATION WORK. Work authorized by act of March 31, 1933 (Public No. 5, 73rd Congress, 48 Stat. L., 22); director appointed by Executive Order No. 6101 of April 5, 1933

Alien Property Custodian

Foreign Service Buildings Commission

National Capital Park and Planning Commission

Rock Creek and Potomac Parkway Commission. Abolished by President Roosevelt; duties transferred to Office of National Parks, Buildings, and Reservations, Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

National Memorial Commission. Abolished by President Roosevelt; duties transferred to Office of National Parks, Buildings, and Reservations, Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

National Academy of Sciences

Pan-American Union

Puerto Rican Hurricane Commission

Federal Employment Stabilization Board. Abolished by President Roosevelt; records transferred to Federal Emergency Administration of Public Works (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date deferred by Executive Order No. 6221 of July 26, 1933, until 60 days after convening of second session of 73rd Congress)

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS. Authorized by sections 201 to 207 of act of June 16, 1933 (Public No. 67, 73rd Congress, 48 Stat. L., 200); Federal Emergency Administrator of Public Works appointed by Executive Order No. 6174 of June 16, 1933

SPECIAL BOARD FOR PUBLIC WORKS. Created by President Roosevelt (Executive Order No. 6174 of June 16, 1933)

NATIONAL RECOVERY ADMINISTRATION. Authorized by section 2 of act of June 16, 1933 (Public No. 67, 73rd Congress, 48 Stat. L., 195)

SPECIAL INDUSTRIAL RECOVERY BOARD. Created by President Roosevelt (Executive Order No. 6173 of June 16, 1933)

Arlington Memorial Bridge Commission. Abolished by President Roosevelt; duties transferred to Office of National Parks, Buildings, and Reservations, Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

OFFICE OF FEDERAL COÖRDINATOR OF TRANSPORTATION. Created by act of June 16, 1933 (Public No. 68, 73rd Congress, 48 Stat. L., 211)

General Accounting Office

Civil Service Commission

WORK OF PREPARING OFFICIAL REGISTER. Transferred from Bureau of Census by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Public Buildings Commission. Abolished by President Roosevelt; duties transferred to Office of National Parks, Buildings, and Reservations, Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Bureau of Efficiency. Abolished by section 17 of act of March 3, 1933 (Public No. 428, 72nd Congress, 47 Stat. L., 1519), effective June 1, 1933. Records transferred to the Bureau of the Budget

Office of Public Buildings and Public Parks of the National Capital. Abolished by President Roosevelt; duties transferred to Office of National Parks, Buildings, and Reservations, Interior De-

partment (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Commission of Fine Arts. Expenditures to be administered by Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

George Rogers Clark Sesquicentennial Commission. Expenditures to be administered by Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Rushmore National Commission. Expenditures to be administered by Interior Department (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933)

Veterans' Administration

Executive Order No. 6166 of June 10, 1933, transferred from all other agencies to the Department of Justice all work of prosecuting and defending suits and actions, to be effective August 10, 1933. Executive Order No. 6222 of July 27, 1933, postponed to September 10, 1933, the transfer of such work so far as it pertains to the Veterans Administration

United States Employees' Compensation Commission

United States Geographic Board

United States Council of National Defense

Joint Board

Aëronautical Board

Commission on Navy Yards and Naval Stations

Panama Canal Office

District Court of the United States for the Panama Canal Zone. Transferred to Department of Justice by President Roosevelt (Executive Order No. 6166 of June 10, 1933, effective August 10, 1933; effective date postponed to October 4, 1933, by Executive Order No. 6243 of August 5, 1933; effective date postponed to November 4, 1933, by Executive Order No. 6301 of September 30, 1933)

Soldiers' Home, Washington, D. C.

Migratory Bird Conservation Commission

National Forest Reservation Commission

United States George Washington Bicentennial Commission

War Finance Corporation

Committee on the Conservation and Administration of the Public Domain

Board of Surveys and Maps of the Federal Government

Arlington Memorial Amphitheater Commission

American Battle Monuments Commission

Perry's Victory Memorial Commission

Advisory Council of the National Arboretum

Chicago World's Fair Centennial Commission

National Committee on Wood Utilization. Abolished by President Roosevelt; records transferred to Department of Commerce (Executive Order No. 6179B of June 16, 1933)

CENTRAL STATISTICAL BOARD. Created by President Roosevelt (Executive Order No. 6225 of July 27, 1933)

SCIENCE ADVISORY BOARD. Created by President Roosevelt (Executive Order No. 6238 of July 31, 1933)

EXECUTIVE COUNCIL. Created by President Roosevelt (Executive Order No. 6202a of July 11, 1933)

FEDERAL DEPOSIT INSURANCE CORPORATION. Created by section 8 of act of June 16, 1933 (Public No. 66, 73rd Congress, 48 Stat. L., 166)

NATIONAL LABOR BOARD. Created by President Roosevelt August 5, 1933. No formal executive order issued; the President approved a recommendation of the National Recovery Administration in a statement attached thereto.

COMMODITY CREDIT CORPORATION. Created by President Roosevelt (Executive Order No. 6340 of October 16, 1933)

L. F. SCHMECKEBIER *et al.*

The Brookings Institution.

JUDICIAL ORGANIZATION AND PROCEDURE

EDITED BY WALTER F. DODD
Yale University

The Ohio Judicial Council: Studies and Reports. On April 6, 1923, the Ohio legislature passed an act creating a Judicial Council charged with making a continuous study of the organization, rules, and methods of practice of the courts of that state, the work accomplished, and the results produced by the judicial system and its various parts. Hampered by a lack of funds during its first years of life, this body seemed destined to languish and waste away. In 1929, however, all was changed, for in that year the Council succeeded in arranging with the Institute of Law of the Johns Hopkins University for a three-year study of judicial administration in Ohio.[1] This survey, which represented the first of a series of state-wide studies of "law-in-action" contemplated by the Institute of Law, proposed not only to organize technical research in connection with the actual operation of the courts, but to go beyond this and look into causes and effects of law administration in the social process. More specifically, it proposed, among other things: (1) to study the trends of litigation and ascertain its human causes and effects; (2) to study the machinery and functioning of the various agencies and offices which directly or indirectly have to do with the administration of law; (3) to locate precisely and definitely the reasons for delays, expenses, and uncertainty in litigation; (4) to institute a permanent system of judicial records and statistics which would automatically provide information now secured only after great labor; (5) to detect the points at which changes in substantive law would contribute markedly to social justice; and (6) to consider the results of the aforesaid analyses and make recommendations based thereon.

In January, 1931, the Council made its first report to the legislature.[2] This statement indicated that the first year of work had been devoted largely to organization and initiation of the study. This involved: (1) a blocking out of the possible areas of study, so that any specific research project which might be taken up could be fitted into the larger setting; (2) an analysis of the current operations of the judicial machinery of the state in order to locate significant problems in litigation, and especially to prepare the way for the formulation and installation of a state-wide system of judicial statistics; and (3) the initiation of a series of specific research projects as rapidly as conditions permitted. Under the direction of the Institute of Law, an extensive research group, including bar associa-

[1] See F. R. Aumann, "The Ohio Judicial Council Embarks on a Survey of Justice," in this REVIEW, Vol. 24, No. 2 (May, 1930).

[2] *First Report of the Judicial Council of Ohio to the General Assembly of Ohio Convening January 5, 1931.*

tions, law schools, colleges, universities, bureaus of research, and social agencies, had been mobilized in all parts of the state.

The Council gave considerable attention to the problem of court reorganization and unification. In 1929, it reported, Ohio had a total of 325 judges, including seven members of the supreme court; 27 members of the courts of appeals; 135 common pleas judges; 85 probate judges; 67 municipal judges, and one insolvency judge.[3] In this group, it said, "practically no organization or system exists. Each court, almost each judge, is independent of the others. This great army of judges, properly organized and supervised, could conduct the litigation for 20,000,000 people. But as things are, delays are frequent and long."

In advocating unification as a solution, the council referred to the experience of the common pleas court of Cuyahoga county. This body was partially reorganized in 1923 with a view to unification. Although the chief justice of the court was given very little authority under its reorganized form, the results were highly gratifying.[4] "If the entire judicial system of the state were organized under a chief justice with real authority," the Council said, "the results would be astounding." In consequence, it adopted a resolution that "public welfare requires, and efficiency and economy of judicial administration demand, that there be a unification of the courts of the state of Ohio, with an executive head." Consideration was given also to problems of judicial rule-making, simplified appellate procedure, uniform state laws, psychiatric clinics, and a uniform municipal court act.

In December, 1932, the second report of the Council appeared.[5] The survey was now well advanced, and although by no means completed, it already furnished the largest mass of information concerning litigation in any American state. The report showed: (1) that for the first time an analysis had been made of the operations of all of the common pleas courts of Ohio in criminal actions; (2) that a similar analysis was under way in the field of civil actions; (3) that for the first time a detailed view had been secured of the way Ohio courts function in divorce litigation—this in comparison with the state of Maryland where a similar study has been made; (4) that for the first time a comprehensive body of information had been made available concerning the operations of the minor court

[3] These numbers have since been changed slightly.

[4] Between 1922 and 1929, the volume of business of the common pleas courts increased fifty per cent. The number of judges remained stationary, but the average number of cases disposed of per judge increased seventy per cent. During the same period, the average cost per case was reduced from $38.25 in 1922 to $21.30 in 1927, thereby saving over $1,000,000 in five years, with additional large savings in 1928 and 1929. *First Report of the Judicial Council*, pp. 13–14.

[5] *Second Report of the Judicial Council of Ohio to the General Assembly of Ohio Convening January 2 1933.*

system, as well as an integrated view of the operations of the police, the courts, and the penal system; (5) that for the first time, too, an accurate record had been compiled of the expenditures of public money for the administration of justice in an American state; (6) that in order to provide a continuing flow of data concerning the operations of the judicial system, there had been formulated a system of criminal statistics for common pleas courts of Ohio which had been put into operation by the secretary of state; (7) that the same system might be extended to include the minor courts as well; (8) that this system had been devised not only to meet the needs of Ohio, but also to provide comparable data from other jurisdictions; (9) that in coöperation with experts and practical workers from other institutions, the Institute of Law, working with the Council, had fostered the development of a standard classification of offenses which had been adopted by the United States bureau of the census for penal statistics and by the bureau of investigation of the Department of Justice for police statistics; (10) that in coöperation with other workers in the field, the Institute of Law, working with the Council, had developed other classifications basic to judicial criminal statistics, and had tested these classifications by extensive field work; (11) that this work had been considered by the judicial section of the American Bar Association and by the National Conference of Judicial Councils; (12) that it was hoped that some department of the national government would utilize these classifications (with such modifications as might be appropriate) in collecting judicial criminal statistics from coöperating states, and that, in consequence, the data developed in Ohio might be studied in the light of comparative data from other states.

Much of the data secured has already been brought together in organized form in a number of monographs, bulletins, and reports.[6] Included among the monographs are: (1) a study of basic classifications

[6] The status of these materials, in December, 1932, was reported as follows:

"(1) Individual data sheets covering over 9,000 cases filed in the common pleas courts, during the first six months of 1930, having been gathered, checked, coded, punched, and run on the statistical machine. In addition, a tally has been made of all criminal cases filed in the years 1930 and 1931;

(2) Data sheets covering 9,000 divorce actions disposed of in the common pleas courts and probate courts during the second six months of 1930, and 4,000 inquiries from plaintiffs and defendants in these divorce actions have been gathered, checked, coded, punched, and run;

(3) Data sheets for 30,000 civil actions, other than divorce, filed in the common pleas courts during the first six months of 1930, have been gathered, and have all been checked. The materials for three counties, Cuyahoga, Hamilton, and Franklin, have been processed so that they may be correlated with the data for the studies of the municipal courts of Cleveland, Cincinnati, and Columbus.

(4) Data sheets for 1,300 cases filed in the supreme court during the years 1927–29, and for 3,000 cases filed during the year 1930 in the various courts of appeal,

appropriate to a national system of judicial criminal statistics;[7] (2) a comparative study of trial court criminal statistics in Ohio and Maryland for 1930;[8] (3) an analysis of the work of the justice's court in Hamilton county (Cincinnati) for a five-year period;[9] (4) a comparative analysis of judicial criminal statistics in the courts of general criminal jurisdiction of Ohio, New Jersey, Iowa, Maryland, Rhode Island, and Delaware;[10] (5) an experimental study in methods and techniques of state reporting, covering police, judicial, and penal statistics;[11] (6) a study of the mayor's courts of Hamilton county;[12] (7) a study of the appellate courts and appellate procedure in Ohio;[13] (8) an analysis of the expenditure of public money for the administration of justice in Ohio in 1930;[14] (9) an analysis of the Ohio system of equity receiverships as administered in Franklin county (Columbus) during a ten-year period;[15] (10) a comparative study of the various acts providing for municipal courts in Ohio.[16]

Two of these studies have led to constructive suggestions in the form of (1) a draft of legislation to provide a simplified method of appellate review; and (2) a draft of a uniform municipal court act. Suggested changes in the

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have been processed, and the report, including an analysis of the appellate work of the common pleas court, is complete.

(5) Some 7,000 cases, being a sample of the cases filed in the justice of the peace courts of Hamilton county during five years, have been analyzed and the results published; 10,000 cases, being a sample of the cases filed in the mayor's courts of Hamilton county, Ohio, have been analyzed.

(6) Data sheets have been gathered on some 25,000 cases filed in the municipal courts of Columbus, Cleveland, and Cincinnati. The cases in Cleveland and Columbus were filed in 1930. In Cincinnati, the sample reaches back five years."

(7) Several thousand data sheets covering the activities of the public utilities commission have been filled out, and a report is in preparation." *Second Report of the Judicial Council of Ohio to the General Assembly of Ohio, January 2, 1932*, p. 12.

[7] Willis L. Hotchkiss and Charles E. Gehlke, *Uniform Classifications for Judicial Criminal Statistics, with Particular Reference to Classifications of Dispositions* (Johns Hopkins Press, 1931, pp. 140).

[8] L. C. Marshall, *Comparative Judicial Criminal Statistics: Ohio and Maryland* (Johns Hopkins Press, 1932, pp. 88).

[9] Paul H. Douglas, *The Justice of the Peace Courts of Hamilton County, Ohio* (Johns Hopkins Press, 1932, pp. 125).

[10] L. C. Marshall, *Comparative Judicial Criminal Statistics: Six States, 1931* (Johns Hopkins Press, 1932, pp. 61).

[11] Alfred Bettman, W. C. Jamison, L. C. Marshall, and R. E. Miles, *Ohio Criminal Statistics, 1931* (Johns Hopkins Press, 1932, pp. 189).

[12] Paul H. Douglas, *The Mayor's Courts of Hamilton County, Ohio* (In press).

[13] Silas A. Harris, *Appellate Courts and Appellate Procedure in Ohio* (In press).

[14] Ruth Reticker, *Expenditure of Public Money for the Administration of Justice in Ohio for the Year 1930* (In press).

[15] Thomas C. Billing, *Equity Receiverships in the Common Pleas Court of Franklin County, Ohio, in the Years 1927 and 1928* (Johns Hopkins Press, 1932, pp. 172).

[16] H. E. Yntema, *Analysis of Ohio Municipal Court Acts* (In mimeograph form).

Ohio system of appellate review grew out of Professor Silas Harris's study of cases for review in the supreme court, in the courts of appeal, and in common pleas courts, from inferior courts. Carefully investigated by cooperating committees representing the Ohio State Bar Association and the Judicial Council, the proposed changes consist of two parts: (1) a suggested amendment of the state constitution with respect to the jurisdiction of the court of appeals; and (2) a draft of legislation to simplify the provisions for instituting and conducting appellate proceedings.

The proposed constitutional change would remove the provision for appellate jurisdiction in the trial of chancery cases, and would give the courts of appeals such jurisdiction as "may be provided by law." It is believed that the constitution should place no restriction upon the jurisdiction of the courts of appeals, and in particular should not provide for rigid and arbitrary procedure. The court should be given the power to adjust its procedure to meet the exigencies of society; and rigid, arbitrary, and antiquated legalistic concepts should be abandoned. The proposal would also abolish the requirement that courts of appeals hold a term of court in each county of the state, and provide that the court may select the places within the district where it will sit.

The legislation proposed for securing a simplified method of appellate review provides that "appeal" shall be construed to mean all proceedings whereby one court reviews or retries a cause determined by another court. Changes are suggested in the method of instituting the appellate review and in preparing and perfecting the record upon which the proceedings are based. The underlying theory of the proposed legislation is that the entire machinery of appellate review should be made to operate as simply and automatically as possible.

The suggested uniform municipal court act answers a long-felt need.[17] Some years ago, Governor Vic Donahey was so impressed with this need that he discontinued the practice of signing special acts creating municipal courts. By 1931 the volume of such special acts aggregated more than two hundred pages in the General Code. In that year, the volume of exist-

[17] "There are in the General Code of Ohio thirty-three special acts creating municipal courts, in addition to seven acts creating municipal police courts. These acts provide municipal courts of limited jurisdiction for as many cities, including all cities in the state of more than 35,000 people and all except two of more than 20,000 population. The general plan followed by these acts is more or less homogeneous, but in detail the provisions which they include present an amazing and unnecessary variety, not merely with respect to the organization of the courts created, but also with respect to their jurisdictional powers, their practice and procedure, and even as to the law to be applied in particular instances. And to add to the intricacy of the situation, the jurisdictions of these courts are largely concurrent with that of common pleas." Hessel E. Yntema, *Draft of a Uniform Municipal Court Act for the State of Ohio* (Institute of Law, Johns Hopkins University), p. 3.

ing acts was greatly increased. In consequence, Governor White asked the Judicial Council and the State Bar Association to consider the drafting of a uniform act applicable to municipal courts. Committees representing these bodies immediately set to work, and the result was a tentative draft of a uniform act drawn by H. E. Yntema, of the Institute of Law.

It is interesting to note that the proposals contained in the draft of the suggested municipal court act are based upon the provisions of the present acts and are intended, as far as possible, to preserve their most advantageous features. Uniformity is provided for where it seems desirable; while a large degree of local autonomy in the organization and administration of the local courts is preserved. The changes suggested are limited in nature, possibly because any proposals which can now be adopted will be no more than preliminary steps toward an eventual and more thoroughgoing reorganization of the work of the municipal and other trial courts such as would be involved in an integrated system of county courts. In other words, these proposals seem to indicate a mode of progressing gradually, if not immediately, toward a unified court system in Ohio, which is, as was intimated in the first report of the Council, the ultimate goal of that body.

One of the most interesting phases of the work of the Council to date has to do with criminal statistics. The monograph *Ohio Criminal Statistics, 1931*, is a pioneer work in state reporting of criminal statistics. It does not pretend to be a "model" report. Much material that should be included in a state report is necessarily omitted from this exploratory study. Nevertheless, the study marks the beginning of a system of state reporting for Ohio, which may, if carried on successfully, produce a respectable body of trustworthy information concerning the work of the state agencies that cope with crime. In a few years, records should be so improved as to make possible the annual publication of a really adequate report, almost as an automatic result of the operations of the police, courts, and penal institutions. With the substitution of facts for guesses, a more intelligent consideration of criminal justice and crime reduction may result.[18]

Another interesting and highly important outgrowth of the Ohio survey and related studies in other states is suggested by L. C. Marshall's work in the field of "legal techniques." In recent years, the exponents of the "realistic" jurisprudence and others have urged the necessity of giving more attention to "law-in-action," if no less attention to "law-in-books."

[18] In March, 1933, an introductory report was made by L. C. Marshall on the study of divorce statistics in Ohio. Suggestions for the improvement of the statistical system for divorce litigation are presented under three main heads: (a) the present status of statistical reporting in the field; (b) a quite simple plan for improving Ohio divorce statistics, a plan that involves no significant change in the methods now used in recording the original data; and (c) a comprehensive plan which presupposes more adequate original data.

In his monograph called *Unlocking the Treasures of the Trial Courts*, Dr. Marshall has undertaken to present simple and inexpensive techniques for securing more generalized knowledge of "law-in-action." In the past, actual trial-court happenings have not greatly influenced the presentation of law in our schools;[19] nor have they greatly affected our developing conceptions of "the law" and its rôle in social organization. This is due, in part, to the fact that we have not had at our disposal a simple, inexpensive, readily mastered technique with which to obtain a dependable knowledge of the happenings of formal record in the trial courts. Dr. Marshall has attempted to meet this need. The consequences to legal education and the development of law of a nation-wide adoption of such a technique challenges the imagination. The invention of the case method of study of law revolutionized the presentation of the law. A changing point of view has led many people to emphasize the desirability of presenting the law as one of the social sciences. This simple change bids fair to have far-reaching consequences if it is made workable by a proper technique.

Some phases of the survey have progressed more rapidly than others. Much work remains to be done. Those parts which have already taken form indicate that when the whole project is completed it not only will throw great light upon the operation of the Ohio court system in the social process, but will afford a sound basis for all future treatment of the problem. However, if the work were to be stopped tomorrow, the effort would have been well worth while, since it suggests, if it does not completely demonstrate, the manner in which we must mobilize our resources to understand and cope with difficult social problems in a kaleidoscopic age.

F. R. AUMANN.

Ohio State University.

[19] "There have been but three main currents . . . through which these countless millions of trial court cases, with their infinitude of happenings, have influenced the presentation of law in formal instruction. (1) Certain issues, frequently quite technical issues, have been carried up to the higher courts and the decisions in some of these have become embodied in the reported cases. These reported appellate cases, as well as some reported trial court cases, have constituted the field of vision open to the case method of legal instruction. That the image thus secured of the actual happenings in the trial courts is distorted in certain essential particulars, probably no one would deny. Many persons assert that it is simply not recognizable. (2) There have been a handful of "surveys" of the activities of these trial courts, mostly in the field of criminal justice. These surveys have attempted—with considerable success in local jurisdictions—realistic, objective, generalized analyses of law in action in the lower courts, and their effect has been unmistakably wholesome. To date, however, these surveys have been so few, they have been conducted in such circumscribed fields, and on such little-comparable bases, that their leaven cannot be said to have had much effect upon legal instruction. (3) Quite a few devices have been utilized by law schools to bridge the gap between instruction and reality. . . . But of these, . . . it may be said that at their best they cannot hope to provide the objective, generalized understandings that are of the "essence" of the case." *Unlocking the Treasures of the Trial Courts*, p. 3.

Forms of Organization of Italian Public Undertakings. Contrary to expectation, widespread when the Fascists acceded to power, no notable retreat by the national government from the field of economic undertaking has been witnessed under the present Italian régime.[1] The theoretical advocacy of public ownership of business concerns as a goal in itself has, indeed, passed entirely from the political stage with the suppression of the once powerful Socialist party, but the enterprises already operated by the Italian government have for the most part been continued under Mussolini's administration. Fascist theory concedes the private entrepreneur to be the normal and proper producer and distributor of economic goods. The Fascist attitude toward the government in business is expressed in the doctrine of state intervention. When any phase of the national economy fails to operate properly, the state has a right to intervene, even to the extent of becoming an entrepreneur itself. In the ninth declaration of the Charter of Labor, the Fascist social creed, the doctrine is expressed thus: "The intervention of the state in economic production takes place only when private initiative is lacking or is insufficient or when political interests of the state are involved. Such intervention may assume the form of control, assistance, or direct management."

Thus state enterprise is held to be neither an evil, to be avoided even at considerable cost, nor a goal, in itself desirable apart from special exigencies. This attitude expresses the same pragmatism with which Fascism regards the ordinary private entrepreneur. The Italian state is clearly not a government by and for the private business man to nearly the extent that some liberal governments have been. Fascism offers to business no sphere of abstract liberty from governmental control. On the contrary, the Italian state integrates and regulates by governmental authority all the activities of national life. Especially in the matter of employment and personnel is the liberty of the Italian business man closely restricted. The entire relationship between employer and employee is regulated under the Fascist theory of the guild-state by legally enforceable collective contracts agreed to by official syndicates, which separately represent capital and labor in each category of production and are coördinated for the various branches of economic life by a series of guilds (*corporazioni*) integrated in one of the national ministries.[2] Thus the state's all-pervasive authority and the guild-organization of productive activity make Italian private enterprise

[1] Certain local telephone systems, formerly operated by the government, were, however, given over to private enterprise, the state retaining the long-distance lines.

[2] The theoretical side of Fascism has recently been well set forth in Arnaldo Mussolini, *Il Fascismo e le Corporazioni* (Rome and Milan), 1931, and in Harold E. Goad, *The Making of the Corporate State* (London, 1932).

a species distinct from that ordinarily opposed to public enterprise in the arguments for and against socialization. None the less, in spite of the lessening of the distinction of status between public and private enterprise consequent upon the general state oversight of all national activity, direct governmental undertakings remain an important feature of Italian state activity.

The organizations embraced in this study admittedly form merely a sample of the economic undertakings operated by the Italian state. The sample, however, includes most of the important organizations in the field and contains representatives of varied types ranging from nearly pure administrative undertakings to incorporated bodies wholly distinct from the state though subject to its control. The organizations considered in detail by the present writer, and on which the conclusions of this paper are based, are the State Railways Administration (*l'Amministrazione delle Ferrovie di Stato*) and the Administration of State Monopolies (*l'Amministrazione dei Monopoli di Stato*), two administrative services with somewhat special organizations; the Domain Forests Concern (*l'Azienda Foreste Demaniali*), an incorporated body[3] having a status slightly more distinct; and three incorporated bodies distinct and separate from, though controlled by, the state, namely, the National Institute LUCE (*l'Istituto Nazionale LUCE*), an organization producing educational and propaganda motion-pictures, the Italian Liquid Credit Institute (*l'Istituto Mobiliare Italiano*), designed for industrial financing through loans for periods up to ten years and through stock ownership, and the Institute for Industrial Reconstruction (*l'Istituto per la Ricostruzione Industriale*), established for long-term industrial financing and for the liquidation of industrial concerns. The Administration of Posts and Telegraphs (*l'Amministrazione delle Poste e dei Telegrafi*), an administrative undertaking similar to the Administration of State Monopolies, has not been specially considered. Likewise, the National Institute of Insurance (*l'Istituto Nazionale delle Assicurazioni*), the Telephonic Service Concern (*l'Azienda Servizi Telefonici*), and other governmentally controlled incorporated bodies are sufficiently similar to the incorporated bodies studied not to require special treatment. The sample presented is believed, therefore, to be sufficiently wide and representative to afford useful inferences of tendencies.

The questions dealt with in this discussion are those of the vesting of power and the organizing of authority. The materials consulted have been

[3] The English word "corporation" is avoided in this paper because of the tendency to use it to translate the Italian term *corporazione*, meaning guild or association, in Fascist terminology the organic national association of one branch of production.

almost exclusively the texts of administrative legislation.[4] No attempt has been made to investigate the actual functioning of the administrations studied. The financial results from the operations of the undertakings considered have likewise been excluded from consideration. The economic question of the utility of public enterprise in the abstract, as well as a variety of political questions involved in the Italian governmental régime, is, of course, outside the scope of the study. This investigation, therefore, involves solely the tendencies followed by Italian Fascism in providing for the organization of the economic undertakings of the state. In the case of each organization studied, the following questions have been especially considered: (1) To what extent does the body enjoy the advantages commonly associated with juridical personality? (2) To what extent does it possess a distinct financial structure? (3) Is its personnel system assimilated with that of the state? (4) What is its ordinary policy-forming and controlling organ? (5) By what authority is its chief administrative officer appointed? A sufficient similarity of structure has been found in the organizations studied to indicate that the tendencies manifested are the solutions favored in Fascist practice for the special problem of organizing governmental economic enterprises. Clear tendencies appear on most of the foregoing five points.

(1) Three of the undertakings, the motion-picture institute and the two credit institutes, enjoy fully independent personality in the matters of judicial actions and the holding of property. The other three, the concerns for railways, monopolies, and forests, appear before the courts in their own name, but administer for the most part property that belongs to the patrimony of the state. In all cases, special legislation, usually by decree rather than by parliamentary action, set up the new body. No trace of the practice, frequent in Germany and Austria, of organizing governmental undertakings through the ordinary forms of private law incorporation was found in the Italian organizations studied. The universal practice of organizing these undertakings through special legislation is a natural concomitant of the ease with which decree legislation may be issued under the Italian system.[5]

[4] Relatively little appears to have been written in the field of present-day Italian public undertakings. The following secondary sources, however, have been consulted by the author: the section on the Italian state monopolies in Dr. Herbert Gross, *Die Organisationsformen des Finanzmonopols in Europa;* Dr. Benvenuto Griziotti, *Die Organisationsformen der öffentlichen Unternehmungen in Italien* (both articles contained in *179.3 Band, Schriften des Vereins für Sozialpolitik,* München and Leipzig, 1931); and the section on the Italian state railways in Dr. jur. Bernhard Witte, *Eisenbahn und Staat, ein Vergleich der europaischen und nordamerikanischen Eisenbahnorganisationen in ihrem Verhältnis zum Staat* (*viertes Ergänzungsheft, Weltwirtschaftliches Archiv,* Jena, 1932).

[5] Besides frequent specific authorization for the elaboration of legislative pro-

(2) All the bodies studied, with the exception of the Administration of State Monopolies, are equipped with fully independent financial structures in the three matters of budget and accounting, the handling of their own funds, and the possession of reserves. The Administration of State Monopolies, moreover, lacks only one of these characteristics, its funds being handled by the state treasury. The goal sought in providing special organizations for those governmental administrations having the nature of a business undertaking has been generally summed up in the word "autonomy." The term frequently occurs in the Italian laws and decrees relating to these organizations. Thus the Administration of State Monopolies is officially designated an "autonomous administration," and within the State Railways Administration, itself "autonomous," there occur "autonomous managements" (*gestioni autonome*) having specialized functions. The common feature of these "autonomous" bodies is a certain separateness of financial structure. The concern, in other words, has its own accounting system and a distinct budget. Though a less intimate oversight by the hierarchical superior seems also to be intended, one may almost say that a separate financial structure is all that is intended by the term "autonomy" in Italian administrative law.

In the financial relations between public undertakings and the state treasury, the provisions regarding the budget of the undertaking are perhaps the most significant item.[6] Although elements of flexibility are introduced into the budget of the state by legal provisions for the alteration of particular appropriations by decree of the minister for finance and by the blanket power of the government to issue decree-laws, still it has been found useful to provide governmental undertakings with separate budgets

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visions by royal or ministerial decree, the government has power under the law of January 31, 1926, No. 100, to issue "royal decree-laws" on any subject when in its judgment reasons of urgent and absolute necessity require it, such decree-laws to be submitted to Parliament within two years for conversion into law. While the rejection of the bill of conversion by either house would operate as an immediate veto, the Italian Parliament, as at present constituted, in practice never opposes the policy of the government, though the enactment of the law of conversion is sometimes found by the government to be a convenient time for the insertion of amendments.

[6] A summary of the general financial system of the Italian state may here be useful. The expenses of the ordinary governmental services are authorized by Parliament in laws approving, with modifications introduced by legislative action, the tables of estimates submitted by the several ministries through the minister of finance. Besides the income and expense accounts corresponding to the budget, the Italian treasury keeps a patrimonial or property account. In addition, each service maintains a current inventory. The supervision of the raising of revenue, the final verification of expenses, the checking of inventories, and the auditing of all governmental accounts are functions of a central auditing body, the Court of Accounts.

as well as with distinct accounting systems, and to exempt them to a greater or lesser degree from the oversight of the Court of Accounts, the ordinary auditing authority. Definitive approval for the estimates of income and expense of an undertaking in some cases requires the action of Parliament along with the estimates of the expenses of the ministry to which the undertaking is attached. In other cases, a minister is authorized finally to approve the budget of an undertaking. Sometimes, moreover, the budget may be definitely established solely by organs of the undertaking itself. Though the budget of an undertaking usually contains an estimate of anticipated "profits of operation," with the direction that they be paid to the state, the fact that the government occasionally grants money for specific operations of an undertaking of a capital or of an unprofitable nature makes it impossible without research outside the scope of this study to determine whether the financial results in a given case represent a real profit.

(3) No tendency is established in the matter of personnel, since three of the concerns studied, the Administrations of State Railways and State Monopolies and the Domain Forests Concern, employ exclusively members of the state service, while the other three appear to have the status of private employers. It is doubtful whether the integration of the personnel of Italian public undertakings with the services of the state or their classification under the status of private employees makes any great difference. The status of public and of private employees differs much less under the Fascist régime than under a system of capitalistic liberalism. The national guild-organization integrating parallel systems of capital and of labor syndicates, the outlawry of "class self-defense" as exercised in strikes and lockouts, the guildist systems of insurance and assistance for laborers, and the all-inclusive regulation of personnel conditions under collective contracts between capital and labor syndicates provide the ordinary employee in private industry with much of the security of status customary in the public service. Since no marked distinction of status appears to exist, the decision as to whether the personnel of a public undertaking should be integrated with that of the state can be made upon purely pragmatic grounds in each individual case.

(4) In the matter of the location of the ordinary policy-forming and controlling authority, there is considerable variation. In three of the concerns, the motion-picture institute and the two credit institutes, the council of administration seems to be the ordinary supervising organ. In two concerns, the Administration of State Monopolies and the Domain Forests Concern, a minister shares the supervising authority with a council having substantial powers. In the other concern, the State Railways Administration, the controlling power is vested entirely in a minis-

ter, assisted by a purely advisory council.[7] The provision, however, for a council of administration of some sort, having at least the function of giving expert advice, appears to be the universal Fascist practice. Though it is customary for a sufficient number of officials or public bodies to have a voice in nominating the councillors, so that the latter are not solely dependent upon any one authority, yet it is apparent from the structure of these concerns that Fascism contemplates no real autonomy for this type of organization. To provide pure autonomy for a governmental concern, there would have to be a directing council, the members of which would be appointed for definite terms with retirements so distributed that at no one time would any governmental authority have the right of appointing a majority of the body. Such a council would have power to appoint and remove the chief administrator and to control finally the property and activities of the concern.

It is the opinion of the present writer that the tendency toward this type of organization manifested in governments resting upon a system of periodical electoral contests is based upon special difficulties which do not exist under governments exercising permanent hierarchic authority. The incentive toward autonomous public enterprises in democratic countries has been largely a fear of the effect on business operations of the frequent changes of the executive in the cabinet system or of the tendency to disturb trained inferior personnel at the periodic shifts of power in the presidential system. Given a state of one permanent social philosophy, with an executive leadership changing only gradually along hierarchical lines, what reason exists for it to surrender even temporarily its control over the enterprises in which it is, so to speak, the sole stockholder? In other phases of governmental administration, this tendency against autonomous organization might have serious consequences. Especially might this be true in the institutions of higher learning controlled by the state. In addition, the absence of autonomous municipal administration might seriously hamper the recruitment in the future of trained political leaders. These phases, however, are essentially distinct from the problem of organization of the commercial and industrial undertakings of the state. The latter are definitely executive functions to be conducted according to policies and programs common to the whole administration. They have no intrinsic need of individual autonomous policy-forming organs.

(5) The chief administrator of all the bodies studied is appointed by, and apparently is responsible to, a cabinet minister either alone or acting with the concurrence of other officials. This may be considered an estab-

[7] From 1907, when they were first permanently organized, until their reorganization by the Fascists in 1922, the Italian State Railways possessed a more independent organization under a council of administration having considerable authority.

lished Fascist practice, no distinction being made between those cases in which the minister exercises a substantial portion of the ordinary supervisory authority and those in which that authority is exercised by a council of administration.

While real autonomy in the policy-forming and controlling sphere is never intended by Fascist organizers of state enterprises, yet the advantage of a business type of organization with a distinct financial and property structure and an adequate body of expert councillors is clearly recognized. The chief purpose of the provisions separately organizing the Italian governmental undertakings which have been studied is obviously the segmentation of particular problems of administration in order that incipient results, especially in the financial sphere, may be quickly and easily recognized. In this way the responsibility of administrators is more clearly defined, and their accounting to a hierarchic superior, as well as the latter's ability to evaluate their general accomplishments, is greatly facilitated. A similar departmental separation, even to the extent of the separate incorporation of subsidiary companies, is not uncommon in large private firms. In addition to the division of responsibility, the separate organization of governmental enterprises makes possible financial planning in the flexible business manner with due regard for profit and loss, rather than in the ordinary governmental system of special credits for expenses arranged long in advance without adjustment to particular items of income.

In conclusion, the writer desires to state that this investigation of Fascist tendencies in the provision of forms of organization for Italian governmental undertakings of a business nature has impressed him with certain distinctions not always clearly made in the discussion of this type of organization. First, under a system in which the state prescribes legal rights and duties for the relationship of employment between capital and labor, the question of assimilating the personnel system of a state enterprise with the general civil service can be decided upon pragmatic grounds peculiar to the individual case, since only under a system of capitalistic liberalism, where the private employer is substantially unregulated in the matter of his personnel relations, can public enterprise plausibly contend that subjection to a civil service régime is *per se* a serious handicap. Second, although the establishment of a distinct administrative and financial structure is an essential feature in the organization of any state business enterprise, the provision for a state enterprise of real autonomy in the policy-forming and controlling sphere is no more than an adventitious safeguard occasionally adopted in democratic countries to preserve governmental enterprise from the alternating pressures of governing parties. Of these distinctions, the first probably, and quite possibly the

second, are likely to become of increasing importance in all highly industrialized countries.

G. LOWELL FIELD.

Columbia University.

Question Time in the British House of Commons. Within the past hundred years, the practice of asking questions of members of the ministry has grown up as a fixed part of the ordinary procedure of the House of Commons. Within a broad range of subjects, and governed only by a group of rules which are interpreted rather liberally by the Speaker as to subject-matter and form, each member is allowed to put three questions for oral answer on each parliamentary day except Friday, and as many for written answer as he desires. He must give a clear day's notice by handing his questions to the clerks for publication in the Orders of the Day. Questions may also be put by "private notice," in which case, instead of printed notice, the member gives written notice to the minister concerned and to the Speaker. With permission of the Speaker and the indulgence of the House, inquiries on matters of current public interest are sometimes made without any formal notice.

Although the first question was asked in the House of Lords on February 9, 1721,[1] it was 1835 before we find printed questions in the House of Commons.[2] Not until 1849 were they given a definite place on the Orders of the Day.[3] Debate has been permitted from the first on questions asked in the House of Lords, but it was necessary to move the adjournment of the House to bring about debate in the Commons. During the trouble with the Irish obstructionists, the use of motions for adjournment (dilatory motions) to bring about debate was drastically curtailed. Such motions arising out of questions were permitted only when they concerned a matter of urgent public importance and had the support of forty members or of a majority on formal division. This procedure is today contained in the permanent rules of the House of Commons as Standing Order No. 10. It was first adopted November 27, 1882, as Standing Order No. 17.[4] It became No. 10 after the reorganization of the rules by the Balfour government in 1902. The present limitation of the number of questions for oral answer to three was put into effect by the Speaker on February 19, 1920.[5]

[1] Sir Thomas Erskine May, *Law and Usage of Parliament* (13th ed., by Sir T. Lonsdale Webster, London, 1924), p. 210, note 2.

[2] *Ibid.*, p. 238, note.

[3] *Ibid.*

[4] 275 *Hansard Parl. Deb., 3s.*, 142 (November 27, 1882).

[5] 125 *Parl. Deb., 5s., Commons*, 1050–1 (February 19, 1920).

Because of the immense increase in the power of the cabinet and the decrease in the influence of the House of Commons, question time today holds a place as one of the chief methods of control over policy and administration left in the hands of the House of Commons. Questions are put to ministers, to the Speaker, and to private members. Those asked of the Speaker, which are rather numerous, are of little political importance, since they deal only with matters of order and privilege. The ones put to private members deal with only a very limited group of subjects, and may concern only matters for which the member questioned is responsible to the House, as, for instance, the operations of the Commons restaurant service. Questions asked of ministers are by far the most numerous and important.

These inquiries by members of the House of Commons may be put as starred questions (questions for oral answer), unstarred questions (questions for written answer), "private notice" questions, or supplementary questions to those receiving oral answer. Since 1900, a total of 281,000 questions for oral answer (including "private notice" questions) have been put on the "Paper." During this same period, over 80,000 unstarred ones were put on. At a cost of one pound per question, the expense for question time since 1900 amounts to nearly two million dollars. During the 1929–30 session of Parliament, 20,638 questions were asked, and answered orally, in the House of Commons. Of these, 11,184 were "supplementaries," 9,366 were starred, and 88 were "private notice" questions. In addition, over 8,000 questions received written answer.[6] Since questions, to receive oral answer, must be reached during the hour allotted—beginning not later than 3:00 P.M. and ending at 3:45—provision is made for answering those not reached, together with unstarred questions, in the official report of parliamentary debates. During the 1924–25 session, 1,600 starred questions received written answer; 1,300 during 1926; 1,200 during 1927; 900 during 1928; and 1,300 during 1928–29.

From the chart of the 1929–30 session appended it appears that the range of subjects covered at question time is as broad as the interests of the British government. It is also evident that the inquiries have to do with subjects of vital concern to the British people. The *Parliamentary Gazette* shows a similar range of interest for the period from 1924 to 1931.

From the above summary, it is clear that questions serve as a means of expression both for the Opposition and for the back-benchers of the Government party. The Labor members are more active in using this means of controlling their leaders than are members of the other parties.

[6] *Parliamentary Gazette*, London, September, 1930, p. 123–124.

Mr. Ernest Brown, Liberal, when the Speaker asked members to curtail supplementary questions said: "If we are to be asked to curtail supplementary questions, may we in turn say to the prime minister that, since it is normally the right of the Opposition to put questions, the right hon.

DISTRIBUTION OF QUESTIONS BY SUBJECT, HOUSE OF COMMONS, 1929–30 SESSION*

	Private Notice	*Oral Answer (Starred)*	*Supplementary*	*Total Oral Answer*	*Per cent*
Foreign affairs (exclusive of Russia)	9	644	709	1362	6.6
Russia and Russian affairs	3	543	889	1435	7.4
Internal and external debt, including reparations	2	95	106	203	1.0
Colonies and colonial problems	11	460	496	967	4.7
India and Indian affairs	10	483	434	927	4.5
Dominion affairs	5	210	247	462	2.2
Empire Marketing Board		54	87	141	.7
International trade and commerce	2	380	450	832	4.0
Tariffs		214	374	588	2.8
Army		189	244	433	2.1
Navy	6	402	458	866	4.2
Air (military and commercial)	4	149	171	324	1.6
Home affairs, prisons, courts, immigration etc.	3	338	397	738	3.6
Scotland	3	334	478	815	3.9
Metropolitan police	1	46	56	103	.5
Health		290	251	541	2.6
Housing (slum clearance, etc.)	1	160	191	352	1.7
Agriculture	3	393	503	899	4.3
Fishing		90	152	242	1.2
Industry (corporations, economic problems)	6	333	445	784	3.6
Labor problems (hours, wages, etc.)	4	227	254	485	2.65
Unemployment (insurance, etc.)	1	856	921	1778	8.6
Poor relief		119	131	250	1.2
Transport	1	317	353	671	3.25
Electricity supply		44	35	79	.4
Public works (buildings, parks, monuments, etc.)	2	305	346	653	3.2
Government (organization of cabinet and ministry)		64	94	158	.8
Civil service		246	270	516	2.5
Procedure in House of Commons (introduction of bills, etc.)	8	279	494	781	3.8
Taxation		134	123	257	1.25
Local rates	1	41	36	78	.4
Pensions, health insurance, old age insurance, etc.		281	301	582	2.8
Education		418	409	827	4.0
Post Office, telephone, telegraph, radio		112	147	259	1.25
Miscellaneous (local govt., electoral reform, etc.)	2	116	132	250	1.2
Total	88	9366	11,184	20,638	

* Compiled from *Parl. Deb.*, 5s., *Commons*, Vols. 229–243 (June 25, 1929, to August 1, 1930).

gentleman should appeal to his own back-benchers to put fewer questions on the Paper?"[7]

QUESTIONS BY PARTY—1929–30

	Private Notice		*Oral Answer*		*Supplementary*		*Total*	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Conservative	46	52.0	4,882	53.0	6,665	59.5	11,593	56.0
Labor	34	38.6	3,246	34.6	3,259	29.0	6,539	31.7
Liberal	9	10.0	1,224	13.0	1,238	11.0	2,471	12.0
Independent			19	0.2	34	0.3	53	0.25
Coöperator	1	1.1	35	0.4	15	0.1	51	0.25
Former conservative cabinet and ministry	30	34.0	1,026	10.9	1,896	17.0	2,952	14.0

* Prepared from Par. Deb., 5s., *Commons*, Vols. 229–243 (June 24, 1929, to August 1, 1930).

From the above summary appears also the significant fact that Conservative ex-ministers asked approximately one-sixth of all questions and supplementary questions during the 1929–30 session. Furthermore, a group of fifty men asked 45,000 of the 80,000 questions and "supplementaries" between 1924 and 1931. From July, 1929, to July, 1931, this group asked six-sevenths of all questions and supplementary questions. The men composing this group have had long experience in both private and public life. Included in the group are ex-ministers, prominent business men, lawyers, lecturers, journalists, engineers, writers, teachers, and members of the colonial service, civil service, and land and naval forces.

It is also of interest to observe that many questioners specialize on one or two fields of activity. Among subjects which attract this special attention are foreign affairs (especially Russian problems), Scotland, agriculture, unemployment, colonies, India, and education. From the above summary and the facts which have been presented, we see that question time brings to bear intelligent criticism by men qualified to give useful advice to the government, besides serving as a means of airing the grievances of individuals and parties.

Although debate is not possible on questions and the answers to them, "supplementaries" often give rise to a cross-examination of the minister which approaches debate. Any extended discussion, however, must be brought up at the appropriate time (adjournment, Estimates, Consolidated Fund Bill), or must be raised as a matter of urgent public imporance under Standing Order No. 10. During the 1929–30 session, 20 notices of intention to raise a matter on adjournment were given. Of these, 12 actually came up for discussion on an adjournment motion, and two came up on more than one occasion. During the same period, there were only three formal motions for adjournment under Standing Order No. 10. Only two of these came up for discussion. Since 1920, there have been 40 formal

[7] 230 *Parl. Deb., 5s., Commons*, 627 (July 18, 1929).

motions for adjournment of the House "to discuss a matter of urgent public importance." Since 1923, there have been only seven. This is to be compared with the 50 interpellations in the extraordinary session of the Chamber of Deputies in France which lasted but two months during the fall of 1928.

Although this procedure is not often used, it is, when brought into play, effective in modifying the policy of the government. But it is not the instrument for destroying governments that interpellation is in France. President Lowell finds only two occasions on which the government received an adverse vote at the close of a discussion arising out of a motion to adjourn made for the purpose of bringing on a debate upon a subject opened by a question.[8] Even in these two cases, he points out, there was no change in governments, and no minister resigned. As far as the records show, there have been no adverse votes since President Lowell's observation.

Even though the "urgency motion" does not offer the lever for upsetting governments that the interpellation does in France, it has considerable political significance. In April, 1930, Prime Minister MacDonald adopted a process of consultation with leaders of all parties as the best means of ascertaining the wishes of the House as to agreement with France on the interpretation of Article 16 of the League Covenant. This action resulted directly from discussion under Standing Order No. 10. In December, 1929, Stanley Baldwin objected to the inclusion of Lord Hewart (judge of the High Court) on the Ullswater electoral commission because he considered it a political body. Lord Hewart's resignation was announced at the close of the discussion under Standing Order No. 10, which was brought on by motion of Mr. Baldwin. Upon this announcement, Mr. Baldwin withdrew his motion. On the only occasions when Standing Order No. 10 resulted in debate during the 1929–30 session, the government modified its policy to agree with the criticism directed against it.

Question time is to be judged by its value in effectively and intelligently controlling the policy and the administration of the government. Sir Horace Dawkins, clerk of the House of Commons, in a letter to the writer says: "With regard to the influence of questions on policy and administration, I should say it was considerable. They are very often the only means available of expressing the views of groups of members on the government."[9]

Question time is most effective in influencing the government by focusing public attention on matters of policy and moulding public opinion.

[8] *The Government of England* (new ed.), Vol. I, p. 336.

[9] Letter under date of February 10, 1932.

As the result of numerous questions put during April, May, and June, 1930, and of newspaper publicity, the Commissioner of Works, with the support of the cabinet, took definite steps to prevent the destruction of a portion of Hadrian's Wall which was endangered by quarrying operations. He carried out negotiations with the owners of the quarry and took steps to have a bill introduced—known as the Ancient Monuments Bill—for the purpose of empowering his department to prevent destruction of such monuments and relics. The bill was introduced in the House of Lords on December 3, 1930, by Lord Ponsonby, parliamentary secretary to the Minister of Transport, and was finally accepted, as amended by the Commons, on May 24, 1931.[10]

In 1926, the government was hastened in its relaxation of the Coal Emergency Directions by a question in the House of Commons.[11] Questions are frequently used as a means of suggesting actions to the government—particularly in suggesting legislation. Since private members' motions are strictly limited, question time furnishes one of the few ways by which the individual member may get his ideas adopted by the House. The suggestions made through this medium have a considerable influence on the government, although the cabinet fails to act on most of them.

In evaluating question time as a means of control over policy and administration, and as an aid to Parliament in exercising its functions as the "Grand Inquest of the Nation," both its advantages and its disadvantages should be considered. It must be borne in mind that question time is monopolized by a small and persistent group of men. Also, it is true that many of the questions asked are trivial and of little importance —contributing only to the reputation of the member asking them, especially in his constituency.

Yet the large majority of questions are of general interest. Furthermore, the small group of men who ask most of them are men of wide experience both in government and in private life—including a considerable group of ex-ministers. The scope of question time is as broad as government—including every important field of activity, which means, when reduced to the realities of government, that question time subjects every branch of the administration to the ceaseless criticism of government party and of opposition, by men who are specialists and experts not only in the field in which they evince their interest but in parliamentary affairs as well.

[10] The complete story of the incident will be found in the following sources: 237 *Parl Debs., 5s., Commons*, 2634 (April 14, 1930); *ibid.*, 2722–3 (April 15, 1930); 238 *ibid.*, 647 (May 5, 1930); 239 *ibid.*, 1765 (June 2, 1930); 240 *ibid.*, 1957–8 (July 2, 1930); 242 *ibid.*, 33, 34 (July 28, 1930); *ibid.*, 613–4 (July 30, 1930); *ibid.*, 900 (August 1, 1930); *London Times*, July 29, 1930, p. 15; *Parliamentary Gazette*, December, 1931, p. 102.

[11] 200 *Parl. Deb., 5s., Commons*, 414–416 (November 24, 1926).

By means of questions, further discussion on "urgency" and routine motions for adjournment, and publicity in the press, public opinion is focused not only on the policies of the government in legislation and administration, but on the conduct and efficiency of the civil service. Effective control can be exercised through questions and discussions arising out of them. That these discussions do not give rise to the important political consequences which flow from interpellation in France is probably largely because majorities in the House of Commons are more stable than in the Chamber of Deputies.

Contemporary writers point out that parliamentary government today has come to mean cabinet government. With this increase in the power of the cabinet, question time furnishes almost the only means left to the individual member of the House of Commons to exercise influence on government and administration. It is as one of the few means of control available, and as an effective and useful influence, that we must judge question time and the discussions which arise out of it. In spite of expense, in spite of parliamentary time being used on trivial matters, question time is a worth-while and valuable—in fact an almost indispensable—feature of British government today.

ROBERT W. MCCULLOCH.

University of Michigan.

NEWS AND NOTES

PERSONAL AND MISCELLANEOUS

Compiled by the Managing Editor

Plans for the twenty-ninth annual meeting of the American Politica Science Association, to be held at Philadelphia on December 27–29, have been completed and copies of the program have been mailed to all members. Beyond noting that headquarters will be at the Bellevue-Stratford Hotel, information concerning the arrangements need not be repeated here. The full program, with comment on the meeting, will be published, as usual, in the February issue of the REVIEW for purposes of permanent record.

Starting in February with an article by Dr. Charles A. Beard on economics and politics at the present juncture of American affairs, the REVIEW will contain during 1934 a series of six articles by leading authorities interpreting various aspects of American government and politics as affected by the Roosevelt Administration's efforts to guide the country out of the depression.

Professor Philip J. Noel Baker, of London, will be visiting professor of government in the graduate school of Yale University during the second half-year.

Professor Thomas S. Barclay, of Stanford University, will be on sabbatical leave beginning in January, and will spend some months in Washington, D. C.

Professor John M. Gaus, of the University of Wisconsin, visiting professor of political science at the University of Chicago for the academic year 1933–34, is giving a series of lectures during the autumn quarter on the rôle of administration in the modern state.

Professor J. Ralston Hayden, of the University of Michigan, a former secretary-treasurer of the American Political Science Association, was appointed vice-governor of the Philippine Islands on November 3, and shortly afterwards assumed the duties of his new post. In 1923–24, Professor Hayden served as exchange professor at the University of the Philippines, and in 1930–31 as Carnegie professor at the same institution.

Professors Manley O. Hudson of the Harvard Law School, Jesse S. Reeves of the University of Michigan, and Philip M. Brown of Princeton University are members of the American delegation at the meeting of the Pan-American Union to be opened at Montevideo on December 3.

Professor Leland M. Goodrich, of Brown University, gave a series of

four lectures on American foreign policy during the months of September and October at the Naval War College, Newport, R. I.

Mr. Paul V. Betters, secretary of the American Municipal Association, has been appointed liaison officer by Secretary Ickes in the Public Works Administration, to assist in maintaining contacts between American cities and the public works administrator.

In the absence of Professor J. C. Jones, who has taken a position under the Agricultural Adjustment Administration in Washington, Professor Avery Vandenbosch is acting as head of the department of political science at the University of Kentucky.

Associate Professor Norman L. Hill, of the University of Nebraska, has been advanced to a full professorship. Assistant Professor Harold W. Stoke spent the past summer in study and travel in Europe.

At Ohio State University, Dr. E. Allen Helms has been promoted to an associate professorship, and Dr. F. R. Aumann to an assistant professorship.

Professor Joseph P. Harris, of the University of Washington, has completed a survey of the financial status of counties in the state of Washington for the State Emergency Relief Administration.

Professor Peter H. Odegard, of Ohio State University, will teach during the spring and summer quarters of 1934 at Stanford University.

Miss Marion Wolchock and Mr. Arthur J. Waterman, Jr., have been appointed research assistants in the newly created division of research in public administration in the department of government at New York University.

Mr. Charles P. Barry, instructor in the department of government in Washington Square College, New York University, was the Fusion candidate, at the November election, for president of the Borough of Bronx, New York City.

Dr. John B. Mason, formerly of the University of Wisconsin, has been appointed instructor in political science in the extension division of the University of Colorado.

Dr. Roderick L. Carleton, who completed his word for the doctorate at the University of Illinois last August, has accepted an instructorship in political science at Louisiana State University.

Dr. Roger V. Shumate, who received his doctor's degree at the University of Minnesota last July, has been appointed to a service fellowship at that university.

Mr. Ralph Norem, graduate student at Minnesota, has accepted a lectureship in political science at the University of California at Los Angeles.

Professor Joseph S. Roucek's new appointment at Pennsylvania State College is in the department of economics and sociology instead of that of history and political science as indicated in a recent issue of the REVIEW.

Mr. Hillis Lory, of Denison University, has been appointed instructor in political science at Stanford University, and Mr. Philip H. Taylor acting instructor.

Professor Harold R. Bruce has been made chairman of the Dartmouth faculty committee on educational policy. He is making a study of the curricula of Dartmouth and other institutions, looking to a general revision of the Dartmouth educational program. In accordance with the Dartmouth administrative rotation system, Professor Donald L. Stone is now serving as chairman of the department of political science.

Two additions have been made this year to the department of political science at Dartmouth College. Dr. Hugh L. Elsbree, formerly instructor at Harvard, has been appointed assistant professor, and Dr. Harold J. Tobin instructor. Dr. Elsbree is giving a course on government regulation of industry and assisting in the senior tutorial work. Dr. Tobin, whose dissertation on *The Termination of Multipartite Treaties* was published recently in the Columbia University Studies, is conducting a course on European governments and assisting in the freshman courses.

It has been announced that Dr. Harry A. Garfield will retire in June from the presidency of Williams College, which he has occupied since 1908. Before going to Williams, President Garfield was for five years professor of politics at Princeton University. He has been chairman of the Williamstown Institute of Politics since 1920, and in 1923 served as president of the American Political Science Association.

Professor Carl J. Friedrich, of Harvard University, reports that Dr. Bernard Freyd has completed an excellent translation of Otto von Gierke's important treatise on Johannes Althusius and the development of the theory of state in terms of natural law. Professor Friedrich is willing to sponsor the publication of this translation, but under present conditions, publication will have to depend upon the receipt of a sufficient number of advance subscriptions. The price would probably be about three dollars. Persons interested are requested to communicate with Professor Friedrich.

Professor Leonard D. White spent the summer visiting the important centers of public administration. In company with Mr. Guy Moffett, of the Rockefeller Foundation, he attended, as official representative of the United States government, the Fifth International Congress of Administrative Sciences, held at Vienna in June. He also visited the Hungarian Institute of Public Administration in Budapest, attended the summer conference of the Institute of Public Administration, and the N.A.L.G.O. Summer School, both held at Oxford, and visited the International Institute of Scientific Management at Geneva. Professor White is also representing the University of Chicago on the Chicago Recovery Administration, a citizen group appointed by Mayor Kelly for consideration of Chicago's municipal problems.

Two departmental changes have been made at the University of Cincinnati this year in connection with the course in training for public service. Miss Leila Kinney, formerly with the Ohio state department of public welfare, has been appointed assistant professor of political science and is giving courses on methods of social work for students of public welfare administration. Dr. J. Roy Blough, associate professor of economics, has been given leave of absence for the first semester to work with the Federal Relief Administration on problems of local taxation. During his absence, his work with the students in the course in training for public service is being cared for by Dr. Chester B. Pond, formerly with the Brookings Institution.

A study program for New York civil service employees has been launched by the extension division of Syracuse University in conjunction with the Institute of Civil Service Employees. The first class organized, in public administration, is being conducted by Dr. Istar Haupt, formerly a student at the Johns Hopkins University and the University of Chicago.

Among speakers at an Institute of International Affairs held at William and Mary College on October 17–18 were Ahmet Muhtar, the Turkish ambassador to the United States; C. A. Clarac, secretary of the French Embassy; Dr. Friedrich Schoenemann, head of the American department of the German Embassy; Alles Broz, secretary of the Czechoslovak Legation, and Rudolph E. Schoenfeld of the Division of Near Eastern Affairs of the State Department.

The London School of Economics and Political Science announces the publication, beginning in February, 1934, of a new semi-annual journal to be known as *Politica*, and to be devoted to political science, international relations, sociology, law in its bearing on these studies, and allied subjects. The quarterly *Economica* will continue, and *Politica* will appear simultaneously with the February and August issues of that periodical.

The fifty-third annual meeting of the Academy of Political Science, held in New York on November 8, was devoted to the general subject of Current Problems of Unemployment and Recovery Measures in Operation. Among persons on the program were Sir William H. Beveridge, director of the London School of Economics and Political Science, and the Rt. Hon. Sir Arthur Steel-Maitland, former British minister of labor.

Among European scholars whose visits to the United States during the present academic year are of particular interest to political scientists are Dr. Arnold J. Toynbee, director of studies in the Royal Institute of International Affairs, London; Dr. Hans Kohn, author of a recently published book, *Nationalism in the Soviet Union;* Professor Alfred Zimmern, of Oxford University; Dr. Christian L. Lange, secretary of the Inter-Parliamentary Union at Geneva; and Professor Herbert von Beckerath, of the University of Bonn.

The fifth annual conference of the Southern Political Science Association was held at Atlanta, Georgia, on October 26–28. Sessions were devoted to international relations, administrative reorganization in the South, the status of research in the social sciences in the South, and governmental aspects of social planning under the Roosevelt Administration. The meeting was addressed also by Professor Thomas H. Reed, of the University of Michigan. The membership of the Association was reported to have been more than doubled in the past year, and the attendance at this meeting was the largest on record. Officers chosen for the ensuing year are: president, Professor E. B. Wright, University of Alabama; vice-president, Dean W. C. Jackson, University of North Carolina; recording secretary, Dean Merritt B. Pound, University of Georgia; treasurer and corresponding secretary, Miss Florence Smith, Agnes Scott College.

The annual meeting of the National Municipal League, held at Atlantic City on November 9–11 in conjunction with the Governmental Research Association, the National Association of Civic Secretaries, the Proportional Representation League, and the National Conference of Citizens' Councils, carried out an extensive program revolving around the general topic, "The Part of Local Government in Recovery." Subjects to which sessions were devoted included the stimulation of business through public works construction, improving municipal credit, the relief problem this winter, and governmental control of liquor; and Professor Thomas H. Reed, chairman of the League's Committee on Citizens' Councils for Constructive Economy, presided over a session on "constructive versus destructive economy" at which reports of activities of citizens' councils were presented and the problems of the organizations discussed.

With a view to active service as adviser and assistant to the Secretary of State on questions of foreign policy, Dr. Hunter Miller has been relieved of a portion of his duties as historical adviser in the department, and to make suitable provision for these there was created by departmental order on November 1 a new Division of Research and Publication, of which Dr. Cyril Wynne has been appointed chief and Dr. E. Wilder Spaulding assistant chief. Dr. Wynne, who lectured at Harvard University in 1927–29 on international relations, has been assistant historical adviser in the State Department since 1929. Dr. Miller continues in charge of the compilation and editing of *Treaties and Other International Acts of the United States of America.* Another development in the State Department in November which is of interest to political scientists is the appointment of Professor Francis B. Sayre, of the Harvard Law School, as assistant secretary.

Professor Frederick L. Schuman, of the University of Chicago, incumbent of the James-Rowe fellowship of the American Academy of Political and Social Science, spent the past half-year in Germany, studying the organization of the German Foreign Office and the history and political technique of the N.S.D.A.P. Readers of the REVIEW will be interested in the following news note which he has contributed. "The well-known Deutsche Hochschule für Politik opened its winter semester on November 6, 1933, with a greatly enlarged faculty and curriculum. Last spring the school was subjected to a process of coördination and reorganization similar to that imposed by the new régime on all other organizations and institutions in Germany. The old faculty was liquidated and the school was purged of all Jewish, Marxist, and liberal influences. The new faculty, which numbers no less than sixty-six professors, lecturers, *dozenten*, and seminar leaders, includes few names which are widely known abroad. The new president is Herr Paul Meier-Benneckenstein. Among the leading lecturers are Dr. Walter Gross, leader of the *Aufklärungsamtes für Bevölkerungspolitik und Rassenpflege* (department of race science and race hygiene); Eugen Hadamovsky, director of the *Reichsrundfunkgesellschaft* and an authority on Nazi propaganda methods; Dr. Albrecht Haushofer, the leading exponent of *Geo-Politik;* Professor Willy Hoppe, provincial historian (head of the department of history); Dietrich Klagges, Nazi social-economist and minister-president of Braunschweig (head of the department of economic and social politics); Professor Schönemann, director of the Amerika-Institut; Dr. Adolf Ehrt, research director of the *Gesamtverband deutscher antikommunistischer Vereinigungen;* and Dr. Johann von Leers (head of the department of international politics and foreign affairs), widely known in the new Reich as author of *Juden raus; Juden sehen dich an,* and *14 Jahre Judenrepublik.* The work of the Hoch-

schule is now organized in ten major departments: state- and culture-philosophy, race science and race hygiene, history, public law, press and propaganda, internal politics, economic and social politics, defense policy, international politics and foreign affairs, and language. There will be seminars on *Geo-Politik*, citizenship, Eurasia, *Volkstumfragen*, and public speaking. Among the more interesting new courses, reflecting the school's departure from traditional lines, are: "History and Economic Foundations of National Socialism," "Population Policies," "Race and History," "History and Significance of Judaism," "System and History of Communism in Germany," "Political Propaganda," "History, Psychology, and Technique of Mass Demonstrations," "German Frontier Problems," "Air War and Air Defense," "Sea Armaments and Sea War," "Chemical Warfare," "Department and Organization of Fascism," and "The Jewish Question in Russia."

Mr. Justice Brandeis. EDITED BY FELIX FRANKFURTER. (New Haven: Yale University Press. 1932. Pp. 232.)

This little volume is a collection of essays elsewhere published in honor of Mr. Justice Brandeis' seventy-fifth birthday. They are not the biographical eulogies which the birthdays of distinguished men frequently elicit, but serious and penetrating studies by a group of representative scholars seeking to evaluate the contributions which Mr. Justice Brandeis has made not only to the law but also to the social and economic thought of his time. They are introduced by a warmly intimate word of friendship by Mr. Justice Holmes and a brief but discriminating tribute by Chief Justice Hughes. A little less than half of the volume is taken up by Professor Frankfurter's admirable study of "Mr. Justice Brandeis and the Constitution." The "Social Thought of Mr. Justice Brandeis" is dealt with by Max Lerner, his "industrial liberalism" by Donald R. Richberg, and his attitude on the regulation of railroads by Henry Wolf Biklé. The series is concluded by Walton Hamilton's essay on "The Jurist's Art," an appraisal of Mr. Justice Brandeis' technique as a judge and a scholar.

While each essay makes its own contribution, there has been no escape for the five writers from a common necessity of emphasizing certain salient planks in the legal and social philosophy of Mr. Justice Brandeis, as well as certain unmistakable qualities of his mind. Some of these may appropriately be mentioned. First, Mr. Justice Brandeis approaches constitutional law from the viewpoint of an informed social realism. In the apt words of Professor Frankfurter, he believes that "the Constitution is not a literary composition but a way of ordering society, adequate for imaginative statesmanship, if judges have imagination for statesmanship." Secondly, a passion for facts, for an understanding of the realities of social and economic life, affords the key to his entire philosophy. He has no philosophy which is not built upon such facts and realities. He has spent a lifetime in perfecting a technique for discovering them and in demonstrating their vital relevance to the judicial process. Thirdly, he is a profound believer in the experimental nature of social development. In no other way can sound progress be achieved. Consequently, every intelligently conceived experiment in the form of social legislation should be viewed sympathetically, should be protected by liberal presumptions of validity, and should be rejected as invalid only in the clearest cases. Fourthly, in a generation which has learned to worship size Mr. Justice Brandeis has remained a skeptic. He believes that an expanding business organization or administrative unit suffers after a certain point is reached from a sort of law of diminishing returns in efficiency. Old fashioned com-

petition in the business world has not outlived its social utility and should be preserved when possible. By the same token, the states will deal more effectively than the federal government with problems not clearly demanding national uniform treatment. Fifthly, he takes a narrow view of the proper range of judicial control over social policy. The judge must not usurp the function of the lawmaker. Unwarranted accretions of judicial power result in centralization which is doubly dangerous because irresponsible. Finally, the thought of Mr. Justice Brandeis is dominated by an individualism which contrasts sharply with the loose thinking that views society or social policies as ends in themselves. He believes profoundly in the worth of the individual, and nothing is more important to him than the safeguarding of the common man's freedom of opportunity and the rigid protection of his civil liberties.

It is a pleasure to pay tribute to the high literary quality of these essays. They may be read with pleasurable comprehension by laymen as well as lawyers. The careful reader will not fail to discover much of interest and value besides citations in the thirty pages of notes wisely relegated to the end of the book. The editor has also appended a classified table of all the opinions of Mr. Justice Brandeis in the field of public law from his accession to the bench through the 1930 term of the Supreme Court.

ROBERT E. CUSHMAN.

Cornell University.

The Francis Preston Blair Family in Politics. BY WILLIAM ERNEST SMITH. (New York: The Macmillan Company. 1933. Vol. I, pp. xvi, 516. Vol. II, pp. 523.)

For a running account of American party conventions, election campaigns, factional quarrels over patronage, Washington intrigues, and the ups and downs of political journalism between 1828 and 1876, these two volumes are an excellent source. By the use of hitherto unpublished manuscripts, Professor Smith has thrown new light on such matters as President Jackson's kitchen cabinet, Van Buren's fateful Texas letter, the formation of the Republican party, the inner life of Lincoln's cabinet, and the struggle of the moderates associated with President Johnson for a milder reconstruction. The Blairs, father and two sons, were a very remarkable trio and played important rôles in American history. Francis Preston Blair, Sr., was born in Kentucky in 1791 and became the political editor of the Jackson and Van Buren administrations. From 1840 until his death in 1876, he was consulted by political notables of all parties and political faiths. His elder son, Montgomery Blair, was the attorney for Scott in the Dred Scott case and postmaster-general in Lincoln's cabinet. The younger son, Francis P. Blair, Jr., was a political leader in Missouri, a congressman and a Union general during the Civil War,

Democratic candidate for vice-president in 1868, and United States senator from Missouri.

The book furnishes evidence to strengthen the theory that the Republican party was largely the result of a split in the Democratic party. Some of the "outs," including the Blairs, were discontented because of their failure to secure patronage. Free soil principles were used as a means to an end by those who were anxious to regain control of the Democratic organization. While Professor Smith does not develop this theory, he has left plenty of sign posts. Another striking characteristic of our party politics during this period that stands out in these volumes is the fluidity of party membership. The Blairs were Democrats, Free Soilers, Republicans, and then Democrats again. They passed freely and easily from one party to another, and whatever other charges were made against them, of which there were plenty, party irregularity was not stressed.

This work has all the advantages and disadvantages of the historical method. It is a monumental piece of research based upon manuscripts, newspaper and periodical files, government documents, pamphlets, and secondary materials. The organization of the data is largely chronological and biographical. The intrinsic interest of the materials themselves will carry the reader who has time through the thousand pages of the two volumes. The Blairs were vivid characters and were accustomed to use vigorous language.

On the other hand, the historical treatment means that the volumes leave unanswered many questions that would be of interest to social scientists. For instance, what were the changes during the period covered in the methods of party conventions, in the techniques of party propaganda, in campaign oratory, in the organization of pressure groups, in the operation of the spoils system, and in the character of the political newspapers? Undoubtedly, Professor Smith had access to many materials on these subjects, but the scheme of his volumes has crowded them out. Instead, there are many pages full of the minutiæ of Missouri politics, of inconsequential details about various members of the Blair family, and of facts that are well known in American history.

While in general Professor Smith presents his materials in a dispassionate manner, there are evidences of a pro-Blair bias. This means that there is a tacit acceptance of Jacksonian principles on such questions as the spoils system, national banking, and the alleged inferiority of negroes. Present-day political scientists, economists, and sociologists do not regard these dogmas as principles.

HAROLD F. GOSNELL.

University of Chicago.

Law and Practice of Municipal Home Rule, 1916–1930. By Joseph D. McGoldrick. (New York: Columbia University Press. 1933. Pp. xiv, 431.)

In his preface, the author says: "This volume is offered as a companion and complement to Professor Howard Lee McBain's *The Law and Practice of Municipal Home Rule*, published by this press in 1916. It is designed to be read with that now standard work, rather than to take its place." The author is entirely too modest. Without in any way disparaging the excellent work of Professor McBain, it may be said that Dr. McGoldrick's contribution to the literature of municipal home rule is entitled to an equal standing with, rather than rank as merely a sequel to, the work of Professor McBain. It is true that only three states have adopted constitutional home-rule provisions since Professor McBain wrote his book in 1915, but a very large volume of judicial interpretation of these provisions has been added in the intervening period. For one familiar with Professor McBain's work, Dr. McGoldrick's book brings the story of home rule for cities to date; while those not familiar with the original treatise will find that the book here reviewed gives a fairly complete picture of the home rule charter movement.

The author of the review of Professor McBain's volume published in this journal in 1916 predicted that within a decade municipal home rule provisions would be inserted in nearly all of the state constitutions. The prophesy has failed to materialize, and Dr. McGoldrick points out that two important changes of situation have retarded the movement: (1) the extreme urbanization witnessed in the past two decades has made the state more than ever concerned in city affairs, and (2) the growth of administrative supervision of municipal affairs has perhaps reduced the demand for home rule.

Much of the battle for the exercise of the rights granted by home rule provisions has been fought over the meaning of such phrases as "municipal affairs" and "local concerns." The arbiter in these controversies has naturally been the courts, and in deciding what are state affairs and what are local affairs the courts have usually thrown the weight of their influence on the side of the state. This fact prompts the author to declare that "our judges are no better qualified to establish the rules of the relationship of municipalities to the state than are our legislators, unless we deem them men of greater sense and experience." In fact, he says, "the judicial process has rather less to commend it for the solution of municipal problems than the legislative process," because of the judiciary's devotion to precedent and over-interest in analysis. Judicial errors are difficult to overcome, while legislative errors are more easily corrected.

The author points out that it is not an easy matter to draw a definite line between local affairs and state affairs. Judicial opinion has largely

assumed that there are only the two categories. The author suggests that there are really three spheres instead of two, namely, those in which local interest may be said to be dominant; those in which state interest is paramount; and those in which joint control is probably the best solution.

The closing chapter, on "The Scope of Municipal Affairs," is largely a summary of the problems raised and decided in the home rule charter states. An appendix giving the texts of the constitutional home rule charter provisions in sixteen states is included.

FRANK E. HORACK.

State University of Iowa.

American County Government. By ARTHUR W. BROMAGE. (New York: Sears Publishing Company. 1933. Pp. viii, 306.)

The Office of Sheriff in the Rural Counties of Ohio. By R. E. HEIGES. (Findlay, Ohio: Published by the Author. 1933. Pp. ix, 124.)

Constitutional amendments and legislative enactments in recent years indicate that increased interest in rural local government is beginning to bear fruit. It is to be hoped that the two studies here reviewed may assist in narrowing still further the gap in county government between the reformer and existing practice.

Professor Bromage writes of county government in general. After briefly outlining the historical background of rural local government, he turns to the present practices and the question of reform. Detailed constitutional provisions, especially those prescribing the direct election by the people of administrative officers of the county, have been serious barriers to reform. Home rule and optional systems of county government are suggested as possible solutions of the difficulty.

A satisfactory solution of the county-state relationship should lead to correction of some of the existing evils. Reconstitution of areas and reorganization of internal structure are the things Professor Bromage feels are most needed. County consolidation (either general or functional), the short ballot, and the county manager plan are suggested as means of revitalizing the county. Here the author is at his best. No more convincing study of, or thoroughgoing condemnation of, existing practices in county government has been made. Professor Bromage has not only marshalled the evidence, but presented it in unusually interesting style.

The study by Professor Heiges, based on a field investigation in eighteen counties, attempts to evaluate the office of sheriff in the rural counties of Ohio, viewing the official as a conservator of the peace, as an officer of the courts and keeper of records, and as custodian of the jail. In each case, the office is found wanting in effectiveness. The author does not suggest

methods of improving it; he proposes, rather, that it be abolished. Three alternatives are offered to meet the problem of law enforcement in the rural areas: a county constabulary; the division of the state into districts with a police force in each; and the establishment of a state police force. Of these, the author considers the county constabulary the least desirable. Under the plan which he favors, the civil work of the sheriff should be transferred to the clerk of the courts, and jails would be brought under state control, with the establishment of district institutions.

The philosophy of local government of these two writers seems to differ. While Professor Bromage makes no specific recommendation in the case of the office of sheriff, the theme of his book is the improvement, reorganization, and revitalization of rural local government. He looks upon the abolition of counties and the creation of state districts as a last resort. Professor Heiges sees no reason for attempting to retain the office of county sheriff. He does not fear state control; in the case of the sheriff, he favors it. To assume, however, that he would favor a greater degree of state centralization for all functions would be unfair. And there is nothing in the study by Professor Bromage to indicate that he might not be willing to except the sheriff from his reorganized and revitalized county. In general, however, it seems that the attitude of the two writers toward local government, and their methods of remedying existing evils, would differ.

Both studies are valuable additions to the literature of rural local government. Professor Bromage makes a very convincing argument that county government in general is bad, that there is need for improvement, and that the changes which he suggests will remedy existing shortcomings. It is less clear that Professor Heiges' proposal to abolish the office of sheriff in the rural counties of Ohio is the best solution of that problem.

CHARLES M. KNEIER.

University of Illinois.

Government in a Depression. EDITED BY THOMAS H. REED. (Chicago: University of Chicago Press. 1933. Pp. x, 194.)

This book is a series of radio talks delivered over the National Broadcasting System in 1932 and 1933 under the general heading of "You and Your Government." Eight of the talks have to do with topics of general governmental interest, largely relating to the national government; the remaining eight are concerned with local and state governments. In the larger number of the topics handled, the problems of finance receive the greatest amount of attention. The student of political science will recognize all of the old principles which he has been repeating for years, and he may possibly lay the volume aside with a sigh of weariness. He may,

perhaps, hope that the placing of the good old ideas on the air will revivify them. Old timers in the service will be able to read the beginning of more than one sentence and, without further attention to the book, supply accurately the concluding words. He will know that every "overlapping" is followed by "and duplication," that "uniform accounting" is followed by "and budget methods." He will find the same songsters singing the old tunes. All the fraters are there—Beard, Merriam, Holcombe, Hatton, Reed, Gulick, Forbes, *et al.*

The extensive and far-reaching nature of the recovery legislation of the Roosevelt administration has made portions of the book ancient history. The larger part, however, is not so affected. The omission of a discussion of the new relationship existing and developing between the cities and the national government demonstrates how rapidly events have moved in the past year. Special commendation is due Senator Wagner's discussion of unemployment and Professor Macmahon's handling of the problem of providing greater security in the economic system.

The book is a neat little primer. It contains many good orthodox lessons for the average citizen. It is a splendid experiment in adult education. The staging is not so good in places. The reader (formerly the listener) is asked to consider himself in a country grocery store where he is confronted by Louis Brownlow on a keg of nails and Luther Gulick on a cracker box, and others seated about in similar comfort. But the cap-and-gown tone of the discussion soon dispels the grocery store atmosphere, and we are once again in seminar.

Finally, Dr. Upson believes that "Chicago is undergoing a housecleaning the like of which it has never experienced." In the words of one not unknown to politics, "Now who told him that?"

JEROME G. KERWIN.

University of Chicago.

The Foreign Policy of the United States in Relation to Samoa. By GEORGE HERBERT RYDEN. (New Haven: Yale University Press. 1933. Pp. xviii, 634.)

First appearing in 1928 as a prize essay, this scholarly study in diplomatic history now comes from the press with the addition of some recent political developments in American Samoa, and also with a seven-page introduction by John Bassett Moore.

Dr. Moore's connection with the dramatic story of Samoa is more than casual. From his experience as secretary of the abortive Washington Conference which was held in 1887 to settle the conflicting claims of the United States, Germany, and Great Britain, and again in 1898, when consulted about the partition of Samoa, Dr. Moore now points a warning moral to the sorry tale of American participation in a consultative pact,

an entangling alliance, and international government in the South Pacific —"the worst of all kinds of government."

After a brief description of the Samoan Islands and early explorations, Dr. Ryden tells how pressure from the American whaling industry led to the first government exploring expedition in 1839. He then traces American consular relations with Samoa from 1839 to 1876. Trade with the natives, land-grabbing in return for firearms and liquor, unprincipled whalers and beach-combers, wars among the chiefs, and the need of an American naval and coaling station in that region led to Commander Meade's "treaty" with a chief for exclusive rights to Pago Pago harbor in 1872, an event that started almost three decades of competitive struggle for power by Great Britain, Germany, and the United States.

Dr. Ryden's volume narrates in detail the career of an American adventurer, Steinberger, the bitter quarrels between British and American consuls, the American-Samoan treaty of 1878, the tripartite control or joint protectorate of Samoa from 1879 to 1889, German encroachments resulting from Prince Bismarck's new colonization policy of 1884, intervention by the United States, the Washington Conference of 1887 (wrecked by Germany's demand for a mandate but later resumed at Berlin in 1889), the condominium from 1889 to 1899, and the final partition of the archipelago in 1899.

Out of all the voluminous material on Samoa, Dr. Ryden's ten-page bibliographical note lists not only the most important of the secondary general works and books, especially those of John Bassett Moore, but also the manuscript sources in the archives of the Department of State, the Navy Department, and Hawaii, as well as the American, British, and German printed sources and numerous contemporary letters and memoirs of statesmen and others like Robert Louis Stevenson interested in Samoa as a problem of world politics. All sixteen chapters of the book are based upon these reliable factual materials, as the footnote references in great profusion clearly indicate. So well has the author performed the job of marshalling authorities and writing a readable account of the real beginnings of American imperialism that his book is surely the best and only complete presentation of the subject now in existence. A forty-page index adds value to the work.

JACOB VAN DER ZEE.

State University of Iowa.

Life of Joseph Chamberlain. BY J. L. GARVIN. (New York: The Macmillan Company. 1933. Vol. I, pp. 624; Vol. II, pp. 644.)

The biography of Joseph Chamberlain, of which the first two volumes are here reviewed, by Mr. J. L. Garvin, editor of the *Observer*, will inevitably take rank along with the classical biography by the sometime

editor of the *Fortnightly Review*, Lord Morley, of Mr. Chamberlain's great chief and opponent, Gladstone.

A biography necessarily differs from general history by its emphasis upon the human and personal elements. In these volumes, one is overwhelmed by the importance of the part played by what Edmund Burke called "the little minor circumstances" in settling the immediate fate of peoples, and these circumstances often of the intrinsically most unimportant order. During the years of Chamberlain's life covered in these volumes, i.e., until 1895, although "the social question" plays a major rôle, it is the Irish issue that bulks largest. Here one cannot help but feel that the concealment of crucial letters from Parnell by O'Shea, in order that O'Shea himself might magnify his own importance, not only initiated the distrust and long fight between Parnell and Chamberlain, but may have been decisive of the latter's policy. Assuredly, amid the schemes for Ireland that at various times occupied Chamberlain's mind—extensions of local government, a National Council for the island, national assemblies for South Ireland and Ulster, a legislature on the Quebec model with enumerated powers, a legislature on the American state model with a revising power in a supreme court, complete separation under English protection in military and foreign affairs—there should have been room for compromise with the moderate home rule proposals, accepted by Parnell, of Mr. Gladstone's first bill, had there been personal cordiality.

A distinction between Irish local government on the Quebec model and the recognition of an Irish nation with its supposed concession to some as yet unformulated argument for total separation provided Chamberlain, at a later stage, with a principle for his policy. A perusal of this biography, however, leads to the speculation that the adoption of this principle arose *ex post facto* from the need for having a distinctive policy; and this, again, from Chamberlain's resentment, as prime minister expectant, of the personal slights that he suffered from Gladstone, already set in the obstinate refusal to adapt himself to new personal factors characteristic of octogenarian old age. It was all very well for Gladstone to refer to himself as "like Lot's wife, solitary and pickled on the plains of Sodom," in bantering apology for none too friendly acts. Substantially, Gladstone, the constitutional purist who loved a Whig, never looked back upon his early adverse estimate of Chamberlain as a business man unconnected with the ruling classes and on the pounce for power. This obstinacy, one is forced to conclude, and the political nullification of Chamberlain's intimate and moderating friend Dilke by a divorce suit, as much as the divorce suit that effected the ruin of Parnell, contributed to the disastrous success of Chamberlain's policy of no-compromise on Irish nationalism. The mice of scandal labored and produced, not a mole-hill, but a mountain. What are conspicuous throughout in this history of politics in our

fathers' times are the factors of vanity, human frailty, and personal idiosyncrasy—not primarily "the march of God in the world," but women and old men and their unhappy doings.

Mr. Garvin is a fervent admirer of his hero, who appears in a more favorable and less egoistic light where the comprehension by a business man of the uneconomic psychology of nationalism is not in demand. Especially is this true of his advocacy of graduated taxation, better housing, and of that social policy which received its most "radical" expression in that Ransom Speech of 1885 ("What ransom will property pay for the security that it enjoys?") which was as famous in its day as that of another Coalitionist, Mr. Lloyd George, at Limehouse a generation later. No wonder that Mr. Lloyd George fell under the influence of the elder Radical statesman at this time!

Mr. Garvin, however, is so anxious to protect Chamberlain from disreputable associations that he deliberately turns a blind eye to the socialistic implications of Chamberlain's utterances, despite the explicit statement of Chamberlain himself and the declarations of the alarmed Hartington and of Harcourt. Despite Mr. Garvin, who appears to limit socialism to the abolition of all private capital (whatever that may mean), the radicalism of Joseph Chamberlain, much more than the progressivism of Theodore Roosevelt, spelled a move towards socialistic principles as great as the man's background and generation rendered at all probable, and a complete break in domestic economy and foreign policy with laissez-faire and with the Liberalism of Gladstone and Bright. It is of course true, nevertheless, that there is a very real distinction between the temper of the realist radical of Birmingham and the present National Labor premier of England, although the fate of their unionist groups will doubtless be the same.

These comments upon the sympathetic preference of the biographer certainly do not detract from the permanent historical value of a thorough and fascinating work, of which not the least value is its use as a refutation of anyone foolish enough to think that, in affairs of politics, what is determinant is machinery, not men. The history of the creator of the Birmingham Caucus amply shows the contrary.

GEORGE E. G. CATLIN.

Cornell University.

The Parliamentary Powers of English Government Departments. By JOHN WILLIS. (Cambridge, Mass.: Harvard University Press. 1933. Pp. 214.)

Parliamentary Opinion of Delegated Legislation. By CHIH-MAI CHEN. (New York: Columbia University Press. 1933. Pp. 149.)

These two studies present different phases of the general subject of

delegated legislation in Great Britain, which has received a good deal of discussion in recent years. Both begin with a brief account of the development of delegated legislation; but Mr. Willis gives his main attention to the extraordinary and still largely exceptional grants of what he calls parliamentary powers; while Chih-Mai Chen concentrates, as the title of his study indicates, on parliamentary opinion about delegated legislation. At the same time, the two works overlap to some extent, while neither treats of the related topic of the judicial powers of administrative agencies.

Mr. Willis deals with his main subject in chapters on final statutory rules, private bill legislation by departments, and the power to modify an act of Parliament; with a brief epilogue, and a postscript on the report of the committee on ministers' powers. By final statutory rules, he means those based on provisions that they shall have effect as if enacted by Parliament, rules and orders which when issued are to be accepted as conclusive evidence that the statutory requirements have been met, and those issued to fill out skeleton legislation.

These topics are discussed in a detailed and well-reasoned critical analysis of such statutory provisions, while an appendix gives what seems to be an exhaustive list of statutes containing such provisions since 1850. The author considers especially how far such provisions exclude judicial review, both from the internal evidence of the statutes and according to the decisions of the courts. He also notes the criticism and defense of such provisions both within and outside of Parliament. While the title of his study covers only the powers of the departments, he includes and calls attention to the extent to which similar powers have been granted to the judges, especially in adopting rules of practice, without arousing vigorous criticism as have the powers granted to executive and administrative agencies.

In conclusion, Mr. Willis finds that, although these parliamentary powers "formed the heavy artillery in the battle which has been and is still raging around the delegation of legislative power, they have made a noise out of all proportion to their size." Action under these provisions forms but a trifling part of the activity of the departments; and instances of abuse are difficult to find. Nevertheless, "the control of delegated legislation may well be subjected to even more drastic reform;" and some tentative suggestions are offered.

The postscript analyzes those parts of the report of the committee on ministers' powers which deal with the special phases previously considered. Mr. Willis calls attention to the limitations imposed on this committee by the terms of reference, and with these in mind he is not disposed to quarrel with its recommendations.

Parliamentary Opinion of Delegated Legislation is a doctor's thesis by

a less mature scholar. After an historical sketch, there are chapters on parliamentary criticism of delegated legislation, the demand for safeguards, and the justification of delegated legislation. The analysis of statutory provisions is, naturally, less thorough than that of Mr. Willis, though there are references to a number of statutes before 1850 not noted by him; but no mention is made of statutory provisions conferring similar powers on judges. The bibliography includes a larger number of books and articles than those listed by Mr. Willis, and some not included by the latter are of considerable importance. The general results of the study are summarized in the statement: "Parliament has become increasingly alarmed as more and more bills delegating legislative powers have been presented by successive governments. But, unfortunately, this awakening is belated, for it comes after party fealty has considerably lessened the significance of parliamentary debate." Mention is made of numerous proposals for improvements; but no specific changes are advocated.

JOHN A. FAIRLIE.

University of Illinois.

Les Institutions de Démocratie directe en Droit suisse et comparé moderne. By MAURICE BATTELLI. PREFACE BY M. B. MIRKINE-GUETZÉVITCH. (Paris: Librarie du Recueil Sirey. 1932. Pp. xviii, 319.)

A thesis for the doctorate prepared at the University of Geneva, the work of M. Battelli centers about Swiss law and Swiss experience, as must necessarily be the case in view of the nature of his subject. It is prefaced by an introduction, appreciative yet critical, from the pen of Professor B. Mirkine-Guetzévitch of the University of Paris. In addition to his detailed study of Swiss law and experience, Dr. Battelli presents at some length the legal basis of direct democratic institutions in other countries—more fully in France, the United States, and Germany, and more briefly in the British dominions, the succession states, the Scandinavian and Baltic states, Spain, and Liechtenstein. The second part of the work is devoted to a discussion, point by point, of the advantages and disadvantages of direct democracy in theory and in practice. In the third and concluding part, Dr. Battelli deals with the institutions of direct democracy in relation to the fundamental juridical principles of sovereignty and representation; also with the juridical nature of the referendum and of other institutions of direct democracy. The latter term is interpreted broadly to include not only the initiative and referendum, on both constitutional and ordinary projects of legislation, but also plebiscites, *Landsgemeinden*, popular vetoes, the advisory referendum, local option, the *Abberrufungsrecht*, and the recall. A brief bibliography and a thorough index add much to the value of the monograph.

M. Battelli's work appeals most directly to students of constitutional law, and in only a slightly less degree to all who are interested in the processes of democratic government in its most democratic aspect. Owing to the Swiss experiment in subjecting treaties concluded for an indefinite period or for more than fifteen years to referendum under the same conditions as ordinary federal legislative measures—an experiment which the author discusses critically and at some length—students of international law will also find his contribution most helpful.

As implied above, it is Swiss experience that M. Battelli treats most thoroughly. One could hardly expect an adequate discussion of direct legislation in the United States. Executed in an equally thorough manner, this would require another volume larger than the one under consideration. The list of sources consulted on the initiative, referendum, and recall in the United States could be extended to include a number of important books and articles of recent date by Barnett, Schumacher, Garber, Bird, Ryan, and others. It would be absurd and ungracious, however, to criticize a foreign scholar for not completing what American scholars have so far not even attempted—a thoroughgoing analysis of our own experience with direct democratic institutions. M. Battelli's survey of the subject in other countries, particularly in Switzerland, is so well done as to warrant our heartiest admiration.

ROBERT C. BROOKS.

Swarthmore College.

Hitler's Reich; The First Phase. BY HAMILTON FISH ARMSTRONG. (New York: The Macmillan Company. 1933. Pp. x, 73.)

Germany Enters the Third Reich. BY CALVIN B. HOOVER. (New York: The Macmillan Company. 1933. Pp. xii, 243.)

What can the serious student believe about Germany today? He is offered a veritable avalanche of newspaper reports, articles, and books on the Third Reich; but these are too often lacking in "sweetness and light." *Hitler's Reich* (published in July, 1933) and *Germany Enters the Third Reich* (published in August, 1933) rise far above the average of current accounts. They are well written, by scholarly and impartial observers who have witnessed the Hitler Revolution at first hand.

Mr. Armstrong's little book is an enlargement of his article under the same title which appeared in the July, 1933, number of *Foreign Affairs*, of which he is editor. In concise language, the author shows the nature and extent of the changes which have come over Germany. He believes that, in spite of certain weaknesses, "National Socialism will last in Germany, as the Soviet and Fascist dictatorships have lasted in Russia and Italy" (p. 54). While touching upon domestic questions, Mr. Arm-

strong's primary interest is in the international implications of the new order.

Professor Hoover, of Duke University, is an economist who is well known for his authoritative study, *The Economic Life of Soviet Russia* (New York, 1931). His new volume begins with a discussion of the economic system in Germany before National Socialism and of the attitude of various classes toward that system. He holds that "National Socialism was the only vehicle for the radicalization of the middle class which offered the possibility of the destruction of the old capitalistic system without the concurrent destruction of the middle class itself" (p. 176). After analyzing the failure of Marxian Socialism, he traces the course of events leading to Hitler's accession to power, and pays full credit to Hitler's genius and brilliant strategy in extricating himself and his party from *culs-de-sac*. The succeeding chapters deal with National Socialism in action, its fundamental principles and characteristics, and its economic aspects. The movement is not simply "the demagogic form given to the desire of reactionary capitalists to defend themselves against Communism. . . . The definite steps which have already been taken by the party are a sufficient proof that an effective will to change the previously existing capitalistic system in a fundamental way actually exists" (p. 185). In other words, National Socialism not only is excessively nationalistic, but is socialistic as well.

The final chapter discusses the international consequences of the Third Reich. The new order has come to stay, and can be overthrown only by defeat in a foreign war or by total economic collapse. In Professor Hoover's opinion, the outlook for peace is indeed dark. This is because Hitler clings tenaciously to his principles even though forced temporarily to deviate from them. "Hitler has never hesitated to give almost any assurance to anyone when it seemed necessary in order to win a difficult position or to gain time" (p. 217). In consequence, Europe must either allow Germany to have, as a minimum requirement, those regions with Germanic populations now under foreign rule or face the alternative of fighting to keep her from them.

In a single book, it is scarcely possible to do justice to all phases of National Socialism. The reviewer wishes that more attention could have been given to the relations of church and state in the Third Reich. Moreover, Professor Hoover probably underestimates the rôle of the big industrialists in the establishment and maintenance of the new régime. Is Fritz Thyssen really "the man behind Hitler," as Ernst Henri and others have claimed? This and similar questions are too casually dismissed by the author.

Obviously, it is too soon for the definitive account of Germany's latest revolution to be written. Nevertheless, Mr. Armstrong and Professor

Hoover have rendered a notable service in presenting intelligent and unbiased accounts of one of the most significant movements of our time.

ROGER H. WELLS.

Bryn Mawr College.

The Economic Foundations of Fascism. By PAUL EINZIG. (London: Macmillan and Company. 1933. Pp. xii, 156.)

In this volume, Mr. Paul Einzig, editor of a London financial journal and author of books on international finance, presents a brief record of his favorable impressions of Fascist Italy gathered during a recent visit to that country. He writes in good temper, and with a dominant interest in economic planning arising out of his conviction that *laissez-faire* capitalism is exhausted.

The student of politics will naturally be most interested in the author's comment on the corporate state, contained in Chapter III. A fundamental assumption made is that the terms "corporate state" and "Fascism" are synonymous and interchangeable (p. 5). As a matter of theory, this may, however, be doubted. In point of fact, no books yet published, including this one, give us any real analysis of the detailed operations of the corporations in Italy, partly because they are still largely on paper, partly because their actual beginnings are still obscured by the operations of central party and state machinery and by the tentative and fluid nature of the development of economic policy in contemporary Italy. A Ministry of Corporations (with an imposing new building) has been set up at Rome, and thirteen corporations have been officially established since 1930. But they are not yet, at all events, the vital and decisive agencies of political and social direction, as compared with the party government. Indeed, they are regarded as administrative agencies of the state rather than as juridical personalities. It may be that in years to come policy and leadership will be recruited through them. But there is evidence, as in the provisions for training corporate officials, to suggest that the party organization will continue to be the dominant mechanism.

Thus the author's discussion of economic policies developed in Italy in recent years, while interesting, is not necessarily illustrative of economic planning through functional corporate groups. He records favorable impressions of the public works program and of banking and currency policy, presenting interesting *obiter dicta* as to the necessity for possessing planned control over the industrial system if a planned currency program is to be successful—conditions which he finds present in Fascist Italy. In three short chapters concluding the book, he suggests that Socialism and Fascism are substantially the same, and that Fascism may well be the form of planned economy which will widely supplant *laissez-faire* capitalism; although he recognizes, but does not discuss,

"the evil qualities of Fascism—aggressive nationalism, race hatred, despotic dictatorship, lawlessness."

While the author has consciously limited himself to a very general treatment of economic developments in Fascist Italy, it is doubtful whether his material is adequate for an introduction to Fascism. Fascism is so much a product of historical and psychological forces—i.e., the long struggle for unification, the diplomacy of the past fifty years, the beginnings of parliamentary government and party life in very recent times as European history is measured—that such an account as this is necessarily superficial. The evolution of Fascist policy since the seizure of power can be understood, also, only through a knowledge of the influence of personalities, the negotiations of party leaders, and the ramifications of spoils and favors.

JOHN M. GAUS.

University of Wisconsin.

World Prosperity as Sought Through the Economic Work of the League of Nations. By WALLACE MCCLURE. (New York: The Macmillan Company. 1933. Pp. xxxix, 613.)

This is a valuable work, dealing in a thoroughly satisfactory manner with a subject of great importance. It surveys and describes a field which has not been previously covered in a comprehensive manner by any single volume, and will be indispensable to those who desire a real knowledge of the other than purely political work of the League of Nations.

Mr. McClure, who was formerly economic adviser in the Department of State, has described, in a careful and competent manner, all the many ways in which the League, up to the time of the assembling of the World Economic and Financial Conference at London, has sought to carry out the general obligation laid upon it by the preamble of its Covenant "to promote international coöperation," and the specific obligations imposed by Article 23 of that Covenant to "endeavor to secure and maintain fair and humane conditions of labor for men, women, and children," and to "make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all members of the League." Mr. McClure shows that there are also important economic implications in a considerable number of the other activities of the League, and therefore has felt justified in dealing with them. Thus, to mention but a few of these other activities, he has something to say concerning public health, mandates, protection of women and children, slavery and forced labor, opium and narcotic drugs, disarmament, reparations, double taxation, world banking, economic sanctions (including the boycott), the open door, and the most-favored-nation policy. As scarcely needs be said, the work of the International Labor Organization is included. It is further

shown that a considerable number of the rulings of the Permanent Court of International Justice have directly affected some phases of international economic life.

As a necessary part of his purpose, Mr. McClure furnishes an adequate description of the manner in which the League has organized itself for the performance of its economic and financial duties. His volume is thus a substantial contribution to the literature dealing with the administrative structure of the League, as well as an addition to works dealing with its functions or activities.

As regards the success or lack of success which, as shown by the volume, has attended the League's economic and financial efforts, it is to be admitted that, aside from certain specific achievements, such as the financial rehabilitation of Austria and Hungary and the extension of financial aid to Greece and Bulgaria, the general results reached have not been such as to encourage the believer in the feasibility of international coöperation. Nationalist interests have prevented the adoption or effective operation of most of the policies recommended by the League or by conferences convened under its auspices. It remains true, however, that, whatever may by the record of the past, the League has supplied much of the factual material and has emphasized the doctrines which will constitute the bases for greater international coöperative action in the future, and the League itself remains the most effective instrumentality through which, when the nations are ready for it, this action can be taken.

In his last chapter, Mr. McClure makes a strong argument for the development of a science of world economics as distinct from national economics as hitherto taught, and argues that the League of Nations, as the chief architect of the structure of world economy, may appropriately exercise its influence in promoting such an art of civilized living.

Mr. McClure deserves a word of special thanks for the valuable bibliographical note which he has placed at the front of his volume.

W. W. WILLOUGHBY.

Washington, D. C.

Foreign Investments in China. By C. F. REMER. (New York: The Macmillan Company. 1933. Pp. xxi, 708.)

Professor Remer's book is much more than a mere tabulation of foreign investments in China. It might more properly be called "China's International Financial Position." The facts and figures regarding investments which have been brought together in the volume represent the most thorough and reliable account that has been made. A new point of reference has thus been established in a field where exact knowledge is lacking. But the author's attempt to arrive at a balance of payments for China and to assess her economic position will attract wider interest.

The book is divided into two parts. Part I traces the economic background of China, gives a general picture of foreign investments there, and leads up to a detailed statement of China's balance of payments. Part II contains individual studies of foreign investments segregated according to nationality.

The opening chapters contain nothing new to the student of Chinese affairs; but that should not discourage him, for later sections contain much that is not available elsewhere, and the material is often presented in a novel and engaging way. For those who are unacquainted with China, the background material will give a setting for the more detailed, current view of Chinese economy which comprises the later chapters, and will furnish the basis for the conclusions which the author sets forth.

These conclusions are interesting. Professor Remer inquires why it is that, with capital for the economic development of China available in the West, more of it has not been *made* available when it is so urgently needed. He places the blame on China. "The flow of capital to a country in China's position," he says, "depends upon the capacity of such a country to accept capital and put it to use." While the ultimate limitations to such flow may lie in the lack of natural resources, he feels that the limitation of immediate importance lies in the social organization and the traditions of the Chinese people. Certain special circumstances, however, have also played a part in the failure of China's capacity to receive capital from abroad. These he enumerates as the political difficulties created by the ambition and jealousy of the lending nations, the ineffectiveness of the Chinese government in the economic field, and the failure of the Chinese economic and social organization to develop the concepts required, in various fields, to encourage the importation and effective use of funds from abroad.

No two experts would work out the same balance of payments for China; but the author's estimates are amply explained by him, and his results are a distinct contribution to knowledge about China's financial position. If other experts do not agree with his findings, they can take the facts which the book contains (and which are nowhere else available) and work out their own conclusions. But credit must go to Professor Remer for doing the spade-work.

The individual studies of other countries' investments in China represent work over a period of several years, not only in China, but in the principal creditor countries as well. The author had the collaboration of experts in China, Japan, and Great Britain, and he himself visited these and other countries to track down the figures to their source. The facts thus gathered are by far the most reliable that exist.

All who have an interest in the present position and future prospects of China will find this book indispensable.

WALTER H. MALLORY.

Council on Foreign Relations,
New York City.

The Capitulatory Régime of Turkey. By NASIM SOUSA. (Baltimore: The Johns Hopkins Press. 1933. Pp. xxiii, 378.)

This book represents practically the first attempt at a complete historical account of the system of capitulations which for so long existed as a limitation on the sovereignty of the Turkish Empire. After defining terms and indicating briefly the early history of the system, the author discusses the capitulatory régime as established in treaties with various Western nations. A chapter on "Americans in Turkey" brings together considerable information as to the position of Americans, particularly the missionaries, under this exterritorial arrangement. The second part of the book is devoted to the story of the abrogation of the capitulations by Nationalist Turkey at the Lausanne Conference and the effect of this abrogation on the rights of foreigners and their property. A valuable table of treaties providing for exterritoriality, together with other documents of interest, is included in an appendix. Voluminous footnotes and nineteen pages of bibliography provide a wealth of references hitherto available only in scattered places.

Mr. Sousa is concerned primarily with the historical and legal aspects of the capitulations, rather than with their administration and enforcement; and as to these matters his study is adequate. However, for some of his general conclusions, the evidence presented is unsatisfactory. For example, after pointing out that Moslem law accorded certain privileges to foreigners before the period of general Western trade contacts, he states that "the principle of personality of law which provides for autonomous jurisdiction for the stranger in foreign lands dates back to early centuries, when the principle was widely practiced, commonly recognized, and faithfully observed." That the principle existed seems without question, but that it was "faithfully observed" may be doubted seriously, and on this point the evidence is insufficient.

Again, the writer says: "We conclude, therefore, that the origin of the capitulations goes back to the Christian era, and that the Mohammedan religion or the Ottoman legal codes are not to be deemed as the original causes of the exterritorial system in Turkey, as it is frequently believed, although we must admit that religion and the difference in the judicial systems have been a major factor, later, when the Western Powers insisted on the continuation of the capitulatory system in the Ottoman Empire." This conclusion is sufficiently qualified to be valid, but a more

thorough examination of the actual enforcement of the capitulations would have added greatly to the worth of the author's contentions.

In the second part of the study, which deals with the period since the outbreak of the World War, a second chapter on "Americans in Turkey" is concerned mostly with the very interesting "Chester Concession," but does not appear to be pertinent to either the subject or the plan of the book. The factual material throughout the volume is well documented, but the author's propensity for lengthy footnote explanations of minor points, sometimes covering a page or more, detracts from the main theme. A further difficulty is noted in the section on the Lausanne Conference where the terms "American delegates" and "American delegation" are used. This becomes confusing when read with the explanatory footnote that the United States had no official representatives at the Conference, but only "observers."

The student who desires information on the system of capitulations in Turkey will find Mr. Sousa's book valuable for reference purposes. Those who are looking for an evaluation of the system will be disappointed. Perhaps it is because of Mr. Sousa's approach to his study that his final conclusion, "Never can a system imposed at the mouth of the cannon be permanent," seems more like drawing a moral to his tale than like presenting the results of his undoubtedly painstaking research into his subject.

WILLIAM C. JOHNSTONE, JR.

George Washington University.

BRIEFER NOTICES

AMERICAN NATIONAL GOVERNMENT AND CONSTITUTIONAL LAW

A welcome light amidst the obscurity of the depression is *The Internal Debts of the United States* (The Macmillan Co., pp. xx, 430), an analytical symposium by Frieda Baird, John Bauer, Wilfred Eldred, G. B. Galloway, Wylie Kilpatrick, G. C. Means, V. J. Pederson, F. W. Ryan, and Evans Clark, who edited the contributions of his collaborators. The thirteen chapters are documented with 100 tables and 32 charts which emphasize the volume's aim as the first work to present to citizens full and concrete facts concerning the American debt situation. The principal debts considered are those relating to farm and urban mortgages; railroads and other public utilities; industrial and financial corporations; short-term business, personal, and household debts; and the debts of national, state, and local governments. The section devoted to public indebtedness fills eighty pages, and should be of special interest to political scientists. After it is noted that in 1933 the federal debt was $21.7 billions, with a current deficit of $1.4 billions, it is recommended that one

of two rather obvious methods of reduction be employed: balancing the budget for 1934, or refunding existing obligations at lower rates of interest. To prevent unnecessary borrowing for emergency relief measures, the capital budget or extraordinary budget is recommended. It is further proposed that tax exemptions of federal issues be eliminated so as to increase national revenues about three hundred per cent. The debts of state and local governments in 1933 being $19.3 billions—an increase of two billions over 1929, and of fourteen billions over 1914—some strong recommendations are submitted: lower interest charges, federal refinancing of obligations, state credit extensions to cities, redemption of local debts through gasoline and newer tax revenues, state receiverships of bankrupt municipalities, readjustment of abnormal municipal debts to capacities to pay, state debt commissioners to control funding and refunding, bondholders' agreements for debt reduction, state revision of proposed bond issues, revision of state budget laws to prevent unnecessary borrowing and for the restriction of scrip usage, federal aid to unemployment relief in localities, and planning for the use of credit. It is reassuring, nevertheless, to read the editor's conclusion that "there is no positive evidence of an intolerable debt burden upon our economy as a whole, assuming even a moderate improvement in general business conditions." This perhaps presumes more confidence in the NRA than some of the conflicting factors in that instrument would justify in the minds of non-Brain-Trust economists.—MILTON CONOVER.

"No one," says Herbert Agar, in *The People's Choice: From Washington to Harding—A Study in Democracy* (Houghton, Mifflin Co., pp. xii, 337), "can consider the careers of these twenty-nine men [the first twenty-nine presidents] without wondering why it is that, whereas six out of the first seven were men of great ability, only four out of the remaining twenty-two are above the common average of politicians." The key to the answer, as Mr. Agar envisages it, is supplied by his table of contents: Part I, from Washington to John Quincy Adams inclusive, is labelled "Oligarchy"; Part II, from Jackson to Lincoln inclusive, "Democracy"; Part III, from Johnson to Harding inclusive, "Plutocracy." The idea is that down to about 1828 the national government was an oligarchy, dominated by "a little group of privileged and public-spirited men," who brought capacity to their job and saw to it that ability had free scope; whereas, beginning with Jackson, Western democracy came into the saddle, cheapening whatever it touched and lowering the tone and standards of politics, until presently, after the Civil War, plutocracy took control and, bending democracy to its purposes, made matters even worse. "Theodore Roosevelt and Wilson stood for a protest against the drift of events. The effectiveness of the protest is suggested by the fact that the

last President on the list is Harding." To substantiate his thesis. Mr. Agar devotes three hundred pages to thumb-nail sketches, *seriatim*, of the twenty-nine presidents—sketches and interpretations in which one will find little to which to object, but which do not quite seem to the reviewer to lead to the author's pessimistic conclusion that "since the Civil War good men have merely been wasted in Washington." And what of the larger issues of dictatorship, communism, and the like, which Mr. Agar brings into the picture but does not discuss? That powerful forces are nowadays seeking to turn us to the Right or to the Left, and that the Left "stands ready with its remedy," may be granted. But that a chastened people has regained an opportunity to develop the well-taught, well-nurtured America of J. Q. Adams's dream, seems equally assured.—F. A. O.

Borne along on the now fast-flowing stream of publications relating to the Administration's "new deal" adventures is Ordway Tead and Henry C. Metcalf's *Labor Relations under the Recovery Act* (McGraw-Hill Book Company, pp. xii, 259), a volume which, without purporting to treat the NRA and its companion measures comprehensively, nevertheless discusses simply, coherently, and significantly the part to be played by industrial organization in developing the desired new "economic constitution." Both of the authors are recognized authorities in the field of personnel administration, and their book should serve its intended purpose of assisting trade associations and employers in working out their labor relations under the codes. Among matters considered at length are employee representation, collective bargaining, trade associations and labor relations, and national industrial councils; and the volume closes with a chapter, on more philosophic lines, showing why industry can no longer, under American conditions, remain "exempt from the influences and sentiments inevitably at work in a democratic society." In *The National Recovery Program* (F. S. Crofts and Co., pp. 80), by James D. Magee, Willard E. Atkins, and Emanuel Stein, one finds a convenient resumé of the new legislation and the means of enforcing it, in three brief chapters dealing, respectively, with the National Recovery Act, the farm program, and money, banking, and finance.

Professors Frank A. Magruder and Guy S. Claire are the authors of a new textbook on American national government bearing the title *The Constitution* (McGraw-Hill Book Company, pp. vii, 395). Reviving the methodology of the old textbooks on civics, they start with the preamble and move straight through the instrument, article by article, clause by clause, commenting briefly on historical settings, defining terms, describing machinery, commenting on functions and problems, and citing pertinent judicial decisions. As a factual survey, the volume leaves little to be

desired. If used as a text, however, it would need to be enriched considerably by lectures or reading in books and other materials of wider sweep.

STATE AND LOCAL GOVERNMENT

The Evolution of Municipal Organization and Administrative Practice in the City of Los Angeles (Parker, Stone, and Baird Co., Los Angeles, pp. xv, 283), by Burton L. Hunter, was prepared originally as a master's thesis in public administration at the University of Southern California, and was published at the instance of the city council as a handbook for public officials. Mr. Hunter is a graduate of the Naval Academy and is now efficiency engineer for the bureau of budget and efficiency of the city of Los Angeles. The book consists of a description of the governmental organization of Los Angeles, beginning with the decree of the Spanish Cortes in 1812, and enumerates in detail and in chronological order the modifications made by both charter and ordinance. The principal duties of each organization unit are described along with the method of selecting personnel and a statement of compensation when fixed by formal law. Several organization charts outline the plans of government at various periods. The material is better presented than that appearing in most municipal manuals. As in other such manuals, however, the men and motives that inspired changes in the governmental structure are discussed only casually or not at all. The volume represents painstaking research in the legal documents underlying the development of the Los Angeles government, and should have considerable local utility.—LENT D. UPSON.

Planning for the Small American City (Public Administration Service, Publication No. 32, pp. vi, 90), by Russell Van Nest Black in collaboration with Mary Hedges Black, carries the sub-title "An Outline of Principles and Procedure Especially Applicable to the City of Fifty Thousand or Less." It includes thirty-six illustrations in the form of photographs, architects' plans, charts, and sketches. The text is a concise, systematic summary of the planning problems of small cities, of the procedures to be followed in making a plan, and of the problems involved in putting the plan into effect. No important subject is omitted; and a classified bibliography concludes the work. The principal author is a city planner of distinction, known for a number of successful achievements in his field. His effort in this volume to condense into small compass all the main points of city planning knowledge needed for small cities is a masterly one, and probably as near to being wholly successful as is possible. Of necessity, he has had to make some of his statements very general; there was no space for particulars. Perhaps, also, in his natural enthusiasm for his work, he has overestimated the resources of the city of much less than 50,000 to support a planning organization and to pay for planning work.

These are not serious criticisms of a volume which is, on the whole, excellent.—WILLIAM ANDERSON.

Shortly before the recent municipal campaign in New York City officially opened, James E. Finegan, veteran reform leader, published his *Tammany at Bay* (Dodd, Mead and Company, pp. xii, 289), wherein he exposed the advantages and disadvantages of Tammany rule and laid down a program for attack, consisting of forty-eight specifications. The book is hardly a mine of information, but it is remarkably complete as a concise outline of Fusion strategy. Even the Recovery party was anticipated in a chapter entitled "Dispel the McKee Myth." The merit of the work lies in the unquestioned integrity and civic-mindedness of the author. Its defect is one that cannot easily be cured. Extremely valuable as a campaign document, Mr. Finegan's book contributes no new principles of citizen-controlled municipal government. Authentic, reliable, and interestingly written, this indictment of the machine failed to awaken any response among men of wealth whose support was, and is, essential to permanent Fusion success. Nevertheless, the book merits reading by those who have at heart the public welfare rather than the safeguarding of private self-interest.—ROY V. PEEL.

In *Proceedings of the Fifth Institute of Municipal and State Affairs* (Norwich University, Bureau of Municipal Affairs, pp. 58), will be found several interesting addresses, chiefly one by Benjamin Gates, auditor of accounts of the state of Vermont, setting forth the need of, and a plan for, simplification of government in Vermont. The plan advocated does not differ markedly from that presented in the "Model State Constitution."

High-school texts in political civics are likely to be, at best, uninspiring. In their *New Mexico History and Civics* (University Press, Albuquerque, N. M., pp. xviii, 539), Lansing B. Bloom and Thomas C. Donnelly have, however, produced a volume that is an exception. An unusually rich historical background provides an attractive setting and perspective for the study of the government of New Mexico; and interesting narrative and exposition, combined with a wealth of illustrations and references, should appeal to the general reader as well as to high-school teachers and pupils.—BURR W. PHILLIPS.

FOREIGN AND COMPARATIVE GOVERNMENT

As trustees for the well-being of three hundred and fifty million inhabitants of India, it is the British voters who are finally responsible for what happens to that country's "voiceless millions." Yet the great mass of the electors are either ignorant of or indifferent to Indian affairs, ex-

cept on rare occasions when sensational news of race riots or political murders finds its way into the London press. It is under this conviction that D. Graham Pole has written *India in Transition* (published by Leonard and Virginia Woolf at the Hogarth Press, London, pp. vii, 395), with a foreword by Col. Wedgewood Benn, former Secretary of State for India. The author has made an authoritative historical survey of recent political events, and has also given an outline of the more important social and economic conditions. He tells clearly and concisely how India is governed, the workings of the recent political reforms, the results of the Round Table Conferences, and the demands of the Indian National Congress. The material is drawn largely from official documents, and the book, though scholarly, is free from obfuscation and eminently readable. It reflects the point of view of a small but growing section of liberal-minded Englishmen, its main thesis being that Britain should come to honorable terms with India without further delay and give the Indian people real self-government while there is yet time, and not "try to hold on until we lose everything, even respect." Nationalism, as is rightly pointed out, has already sounded the death-knell of imperialism.—SUDHINDRA BOSE.

In *The Key to Freedom and Security in India* (Oxford University Press, 1933, pp. xiii, 297), "An Indian Student of Political Science" gives a thoughtful and provocative analysis of the problem of Indian self-government. The proposals now before Parliament will substitute for an impartial if anti-democratic British bureaucracy an anti-democratic and oppressive oligarchy of the propertied upper classes. The author's remedy is to educate the masses politically by establishing village self-government with wide legislative, executive, and fiscal powers, based on adult suffrage. Progressively restricted provincial and federal franchises are unavoidable. Communal representation will produce impotent minorities in permanent legislative opposition. By dividing electoral areas into one Hindu and one joint-minorities constituency, with periodical voluntary redistribution of voters between them, the minorities candidates would be enabled to hold office by framing a policy which would attract sections of the majority party. The remaining chapters deal with finance, defense, the administrative services, and the native states; and the appendix gives a critical summary of relevant documents.—LENNOX A. MILLS.

The Institut International de Droit Public has rendered a service to the field of comparative administrative law by sponsoring the publication of *Les Principes généraux du Droit administratif allemand* (Paris, Librairie Delagrave, pp. 280), being a French edition of the notable work of Fritz Fleiner, the *Institutionen des deutschen Verwaltungsrechts*. In 1911, Professor Fleiner published a thorough and scholarly study of German administrative law as developed both in the states and in the national

government, his work superseding the earlier treatises by Otto Mayer. Though useful interpretations and analyses of the German administrative system were subsequently made by Hatschek, Merkl, and Jellinek, it was Fleiner who, in the eighth edition of his work, gave the best account of the changes wrought in this system as the result of the World War and the liberal revolution that followed. It is this edition that is now rendered available to wider groups of scholars and administrators through a translation by Professor Charles Eisenmann. It is no doubt true, as Professor Fleiner observes, that the German administrative system lacks the systematic perfection and unity of plan of the French system. But this defect is compensated for to a certain extent by a rich experience in the practical determination of administrative problems. This experience deserves careful study at a juncture when many countries are trying to solve new and extremely difficult administrative problems.—CHARLES G. HAINES.

Though there is room for a substantial biography of the perennial foreign minister of Czechoslovakia, Dr. Eduard Beneš, Fritz Weil's *Edouard Bénès, où la Renaissance d'un Peuple*, translated from Czech by J. Marteau (Paris, Éditions du Cavalier, pp. 266) certainly does not meet the need. The work comprises, in fact, a *mélange* of Czech political history of the nineteenth and early twentieth centuries, biographical data on Masaryk and Beneš, and occasional imaginary conversations between various political personalities—excellent ingredients when used carefully and in the right proportion. The material has obviously been gathered from several well-known secondary works in Czech, especially that of Herben on Masaryk, and no facts or interpretations which cannot be found in the books in English dealing with Czechoslovakia are supplied. Even the translation is careless, the attempt to reproduce Czechoslovak sentences, words, and songs being truly a sad affair. The best that can be said is that the work is largely an unsystematic description of the revolutionary activities of both Masaryk and Benes.—JOSEPH S. ROUCEK.

Geroid T. Robinson's study, *Rural Russia Under the Old Régime* (Longmans, pp. viii, 342), is a very valuable addition to books dealing with the background of the revolution. The author has taken advantage of several years of research in Russia to examine a formidable mass of source materials, and the results of his labor are set forth in a study which is a genuine work of exploration. Fundamentally a history of the agrarian problem, the book traces the gradual evolution of landlord-peasant relationships from the setting of the early nineteenth century, through the emancipation of the serfs and the revolution of 1905, down to the situation as it existed on the eve of the Great War. More than this, it is a social history with vivid characterizations of the seignorial and peasant

classes. In spite of the technical character of the study, the style is admirable.—GRAYSON L. KIRK.

An early nineteenth-century project of a constitutional charter for the Russian Empire has been studied carefully by Professor Georges Vernadsky in his *La Charte constitutionelle de l'Empire russe de l'an 1820* (Sirey, pp. viii, 283). The plan, as drawn up and presented to Tsar Alexander I by N. N. Novossiltzov, represented an ingenious attempt to blend some of the newer Western political ideas, including the American, into an arrangement suited to Russian needs. The plan, speaking broadly, involved the superimposition of the monarchy upon a federally organized state. Although the monograph is formalistic, it should prove of distinct value to students of Russian history and government.

INTERNATIONAL LAW AND RELATIONS

James W. Angell's monograph, *The Financial Foreign Policy of the United States* (Council on Foreign Relations, pp. vi, 146), was prepared as a report to the London Conference of Institutions for the Scientific Study of International Relations which was held from May 29 to June 2, 1933. The United States can hardly be considered as having had a financial foreign policy previous to the period of the Spanish-American War, and this study quite properly begins with that period and carries the account down to March, 1933. A treatment of the financial relations of the United States with Liberia and Latin America occupies more than half of the volume. The remaining chapters cover our relations with the Near East and Far East, our post-war relations with Europe, and the recently much discussed question of direct government control of capital exports. In defining the scope of his work, the author asserts that the financial foreign policy of the United States is made manifest not only in those actions of the government which have had a direct bearing on the exportation of American capital and its protection when exported, but also in ". . . government measures taken to help American citizens in securing concessions, commercial opportunities, and other financial or economic privileges abroad, which are not made equally available to the citizens of foreign countries; and in some directions it embraces part of the intricate problems involved in the control exercised by the United States government, through political and even military agencies, over the internal economic life of certain foreign nations." While, by thus broadening the scope of his approach, the author might be presumed to be encroaching on related fields of international economic relations, he has, in point of fact, succeeded very ably in keeping the discussion strictly within the field of financial relations. Although somewhat attenuated on certain subjects, the discussion, presents a clear and concise account of

the expansion of American financial interests in the foreign field, and is concluded with a number of recommendations for governmental action which the reviewer, for one, believes to be thoroughly sound. Students of international relations are greatly indebted to Dr. Angell for making available so able and unbiased an account of one of the most important phases of the foreign relations of the United States.—FREDERICK A. MIDDLEBUSH.

Although Gunji Hosono's *Histoire du Désarmement* (A. Pedone, pp. 254) is dated 1933, it covers the history of disarmament only through the Washington Conference of 1922. It does not touch on the development in regard to naval disarmament at Geneva (1927) and London (1930), and there is no mention of any of the disarmament activity of the League of Nations. The book contains a brief historical account, reproducing essential texts of over fifty efforts at regional and general disarmament since the thirteenth century. It will prove a useful reference book, especially for certain medieval disarmament arbitrations and treaties, and certain disarmament agreements in Latin America and the Orient which are not well known. A third of the book is devoted to the disarmament discussions at the Hague Conferences, the pre-war Anglo-German conversations, and the post-war Peace Conference. Another third is devoted to the Washington Conference. Here only is an effort made to examine in any detail the national policies and the diplomatic maneuvering which led to the disarmament arrangement. The writer makes little effort, too, to analyze the factors upon which agreements to disarm depend or to estimate the effects of such agreements upon international peace. He appears to regard disarmament as a more hopeful step toward peace than international organization. In projects of the latter type, several of which he discusses briefly, he sees little real merit "because they do not take account of the inherent nature of man, which is in essence bellicose, and because they believe it possible to moderate these impulses by the illusory execution of treaties or agreements." Disarmament projects, on the other hand, he thinks "are not based on the erroneous preconceived idea that men do not like to fight each other, but on the idea that men wish to fight each other and that if the means of fighting are limited, both in quantity and quality, the possibility of recourse to combat will be somewhat diminished."—QUINCY WRIGHT.

Taking his cue from the growing number of private international organizations as distinguished from those of a public character, and observing that the former have received too little attention, Mr. Lyman Cromwell White has written a sizeable volume on *The Structure of Private International Organizations* (George S. Ferguson Co., pp. ix, 327). Of some 478 public and private international organizations listed in the *Handbook*

of International Organizations published by the Secretariat of the League of Nations, over ninety per cent are private. The author has selected thirty-seven private international organizations for his study, which deals only with the "structure, membership, and finance" of the organizations included, and leaves a "discussion of the history, activities, and accomplishments" for attention in the future. The list selected has been made on the basis of the importance and influence of the organizations as well as their representative character. Mr. White concludes that membership in the private international organizations is concentrated largely in Europe and the United States, and that if member organizations in four or five leading countries were to resign little would be left. He says: "The United States often has from forty to seventy-five per cent of the total membership, and it leads in membership both absolutely and in proportion to population" (p. 320). Likewise, "the associations and individuals in the United States give much more money than those in any other country." Conclusions are offered in regard to conferences, governing bodies, secretariats, officers, and executive committees, but because of the diversity in aim and method of the various organizations, it is doubtful whether any guiding principles can be based upon them. The chief value of the study lies in the detailed information given concerning the organizations covered.—J. EUGENE HARLEY.

Fifty pages describing the religion and erotic dances of the Cuban negroes open Mr. Beals' series of colorful word pictures in his *The Crime of Cuba* (J. B. Lippincott Co., pp. 439). Almost the next two hundred pages are devoted to snapshots of the historical development of the island. The materials are drawn largely from the studies of Chapman, Jenks, Wright, Atkins, Reubens, and Millis, but they are presented in Mr. Beals' distinctive acid style. The rest of the book is a detailed presentation of the abuses of the Machado régime, probably the best yet made in a single volume. Unfortunately, except for half a dozen footnotes, the volume is entirely undocumented, though the discussion is in all but small part based on printed materials, even in the sections on later developments. The author finds little in his subject to arouse enthusiasm. The negroes in Cuba are not promising as material with which to build a government. The whites are spineless and the mestizos untrustworthy. To this generalization there are individual exceptions, and the author thinks that the student revolutionaries as a group show some promise. The American colony is made up of exploiters. The American officials are at best not admirable. Cleveland "obeyed" special interests in refusing to help the Cubans. The McKinley administration wanted "least of all Cuba's independence." Wood was of the "rule or ruin" type. Magoon was a "good hack politician" under whom "Cubans and Americans were permitted to

steal to their hearts' content." Crowder was "our American draft-boy," and the "buddy" of Menocal, the greatest grafter-president. Menocal was later "Ambassador Guggenheim's pet." Guggenheim backed all the exploiting Americans investing capital in Cuba. His job was to "salvage the Machado régime." The illegal constitutional reforms of 1928 were "sponsored by Washington," and "every effort to return the Cuban government to the Cuban people will be resisted to the last ditch by American official and financial power." Indeed it is "the policy of the United States to oppose all revolutions in Latin America and not recognize governments coming into power by such means, whether the revolution is justified" or not. As these sentences indicate, the temper of the book is highly critical, though the use of materials often is not, and the conclusions reached will find many dissenters.—CHESTER LLOYD JONES.

The objective of Stuart A. MacCorkle in his monograph entitled *American Policy of Recognition Towards Mexico* (Johns Hopkins Press, pp. 119) has been to discover, from an examination of every occasion when the United States has considered extending recognition to Mexico, principles basic to our action. He comes to the conclusion that we have followed no "consistent policy of recognition" toward Mexico, a fact which he believes to be justified by the rapidity with which Mexican chieftains have succeeded one another. The author finds, however, that there are a number of broad principles which, with varying emphasis, we have embodied in our practice. During the first half of the nineteenth century, our emphasis was placed upon the stability of the government in question, but since that time we have been disposed to stress other conditions, particularly the willingness of new governments to meet their international obligations. Mr. MacCorkle gives evidence to show that, since the time of the Maximilian régime, we have been inclined to give some consideration to the degree of popular support which a new government enjoys. Consequently, he finds less significance than do most writers in President Wilson's policy toward the Huerta régime, stating merely that it was "a policy long fixed by precedent." It does not appear that the principles followed by the United States in recognizing Mexican governments have been materially different from those which we have followed elsewhere. For the period prior to 1906, Mr. MacCorkle has made extensive use of the archives of the Department of State, which, however, are not open for the period from 1906 to the present. This explains the impression which the reader is likely to get that the early part of the study shows more insight and information than the remainder.—NORMAN L. HILL.

In Dantzig et quelques aspects du problème germano-polonais (Paris: Publications de la Conciliation Internationale, pp. 315), Henri Strasburger Otto Hoetzsch, William Martin, and a number of other contributors have

dealt illuminatingly with various aspects of the German-Polish problem, such as Upper Silesia and the commercial relations between the two countries, but with emphasis primarily upon Danzig and the Polish Corridor—pro, con, and "neutral." Facts are presented fully, omitted, distorted, put in the limelight or made obscure, depending upon the individual contributor. Opinions are given freely, and controverted often. The result may easily be confusing to the reader who is not conversant with the main claims and counter-claims put forward by the interested parties and their supporters. However, anyone who will read the book with patience and discrimination is bound to gain a good knowledge of the difficult and perplexing subject and a realistic understanding of a constant threat to the relations between two of Europe's important nations. We are indebted to the European Center of the Carnegie Endowment for International Peace for making the materials, with their different approaches to the problem, conveniently available in one volume, even though its usefulness is impaired by the lack of an index. One contribution, by Dr. J. A. van Hamel, has already been published in translation in the *International Conciliation* Series (March, 1933), and it would be worth while for the entire volume to be put into English, since for many younger students it would prove an eye-opening introduction to the nature of international politics and a powerful challenge to critical study.—JOHN B. MASON.

Dr. Paul Guggenheim's *Der Völkerbund* (Leipzig and Berlin, Verlag und Druck von B. G. Teubner, pp. viii, 281) provides us with a calmly realistic interpretation of the many-sided development of the League of Nations from the point of view of a liberal German scholar. Although generally in sympathy with the ambitious hopes associated with the establishment of the League, the author expresses well-reasoned doubt whether it can be expected to function, for a good while to come, as more than a "world clearing-house" to facilitate the consideration, rather in *ad hoc* fashion, of specific international problems as they emerge. So long, it is argued, as national policies continue to be dominated by purely political motives, the excellent technical machinery and procedures available at Geneva can but partially realize their inherently great potentialities. Nevertheless, the peace and welfare of the world demand that the League system, even should its efficacy seem disappointing at the moment, be invoked upon every possible occasion. There is, concludes Dr. Guggenheim, no workable alternative to organized, cumulative fact-finding, discussion, publicity, and moral suasion as techniques for building a solid groundwork for international coöperation. Whether this essay, which appeared last year, has yet been put on the "Nazi index" the reviewer does not know, but it will remain a valuable contribution to the

growing philosophic literature concerning the League which will merit reflection by skeptic and advocate alike.—WALTER R. SHARP.

In *United States Ministers to the Papal States*, Vol. I (Catholic University Press, pp. xxxix, 456), Dr. Leo Francis Stock has collected and edited the instructions to and despatches from our ministers to the Papal States during the period 1848 to 1868. The table of contents is arranged chronologically and shows from whom and to whom each communication was made. An excellent index is also provided. Permission to search the Vatican archives for possible additional material was not obtained, but Dr. Stock expresses the belief that any documents found would not materially alter the important phases of the relations as set forth in the instructions and despatches. He hopes that a second volume, to contain the consular correspondence, which dates from 1797, will soon be made possible. Dr. Stock has performed a service of permanent value to students of diplomatic affairs. In *American Public Opinion on the Diplomatic Relations between the United States and the Papal States*, 1847–1867 (Catholic University Press, pp. ix, 188), Sister Loretta Clare Feiertag has written the first doctor's thesis based mainly on the diplomatic correspondence in Dr. Stock's collection. She has, in addition, perused the debates in the *Congressional Globe;* likewise, the leading newspapers and magazines. Matter pertaining to the unification movement in Italy has been avoided, but the relations between the United States and the Papacy have been developed in an impartial and scholarly manner.—CHARLES E. HILL.

The Right of Search and the Slave Trade in Anglo-American Relations, 1814–1862 (Johns Hopkins Press, pp. 176), by Hugh G. Soulsby, is a workmanlike dissertation, based mainly on manuscripts in the Department of State and such photostats of documents in the British Public Records Office as are available in the Library of Congress; and the monograph should be of interest to sanction-seekers in international relations. It is an account of the American struggle against admitting, by treaty and in peace-time, a right of British cruisers in search of slavers to visit merchantmen flying the American flag. In days of Article XVI and recollections of the Geneva Protocol, this sort of sanction seems innocuous enough. But the treaty of 1824 foundered upon it in the Senate, and Webster and Ashburton avoided it in 1842, only to see their solution fail for lack of the alternate bludgeon, an adequate American squadron on the African coast. It was only after the legal right of visit had been disavowed by Malmesbury in 1858 that the government of President Lincoln accorded it for the limited purpose, by treaty, in 1862. In the meantime, policy had ceased to place old rancors about impressments above new ones concerning slaves, and when the sanction of visit was accorded, the slave trade suffered a heavy blow.—LLEWELLYN PFANKUCHEN.

Already the most generally satisfactory one-volume history of the Far East in the last hundred years, Harold M. Vinacke's *A History of the Far East in Modern Times* (F. S. Crofts and Co., pp. xiv, 503) has gained increased value by being brought out in a new and thoroughly revised edition. The plan of the original book has been preserved, but the subject-matter has been brought down to date, the generous and critical bibliographical lists have been extended, and at least four of the twenty-two chapters have been reconstructed and rewritten. The outlook for good relations between China and Japan, though a *sine qua non* of peace in the Far East, is considered by the author to be exceedingly dark. As for the Stimson doctrine of non-recognition, there is no reason, he says, to believe that it will in future be more effective than in the past; indeed, by encouraging China to go on refusing to accommodate herself to the new status in Manchuria it, if adhered to, will rather operate to make a future clash more inevitable, If, on the other hand, it were abandoned, better relations with Japan would result, but a China that may some day be a good deal stronger would be antagonized.

American Policy in the Pacific (Philadelphia, pp. 274) is the general title of the July issue of the *Annals of the American Academy of Political and Social Science*. The volume was edited by Professor Ernest M. Patterson, and the papers are substantially those which were prepared under the direction of the American Council of the Institute of Pacific Relations and delivered at the 1933 annual meeting of the Academy. Despite the title and discussions by such persons of authority as Messrs. Tyler Dennett and William R. Castle, Jr., the bulk of the volume is less devoted to an analysis of American policy than to a general summing up of economic and cultural forces and recent political events in the Far East. It is, apparently, inevitable that many of the discussions in a collection of this kind should overlap, but some of the contributions are, nevertheless, of distinct importance. The volume includes also a miscellaneous collection of essays on contemporary problems in international relations, presented at a recent meeting of the Pacific Southwest Academy.—Grayson L. Kirk.

A recent volume by the Italian historian, Guglielmo Ferrero, on *Peace and War* (Macmillan and Co., pp. vii, 244) consists of essays embodying principally the thoughts presented by the author in lectures given at the Institut Universitaire des Hautes Études Internationales during the year 1930 and in the United States early in 1931. He traces the history of war down to the present time and laments the inability of the world to return to the conception of war held during the eighteenth century, when sovereigns rather than nations were enemies. The magnitude of modern war, along with the difficulty of regulating war by law, moves him to pessimism

for the future, a fundamental cause of current international unrest being the unwillingness of victorious nations whose entire population has suffered during a war to make a peace of justice. Appended to the volume are three short dialogues relating to American life and politics.—NORMAN L. HILL.

The eighth volume has appeared in the series of Cambridge Economic Handbooks, edited by John Maynard Keynes. As it is the aim of the series to "convey to the ordinary reader and to the uninitiated student some conception of the general principles of thought which economists now apply to economic problems," so it is the aim of this volume on *International Economics* (Harcourt, Brace, and Co., pp. x, 211), by R. F. Harrod, to explain in simple terminology the principles underlying international economic transactions. In this aim the author has been singularly successful, and the volume might well be read by many non-experts whose responsibilities presuppose an understanding of this subject. Included are chapters on the gain of foreign trade, comparative price levels, foreign exchange, balance of trade, the effect of the gold standard on trade, monetary reform, and tariffs.—WALTER H. C. LAVES.

POLITICAL THEORY AND MISCELLANEOUS

The appearance of the ninth and tenth volumes of the *Encyclopaedia of the Social Sciences*, edited by Edwin R. A. Seligman, Alvin Johnson, and others (The Macmillan Co., pp. xxi, 661; xxi, 652), brings this invaluable work of reference one step nearer completion. Among the articles of special significance for students of government are those on "Law" by a dozen various authorities; "League of Nations" by Philip Noel-Baker; "Legal Profession and Legal Education" by H. D. Hazeltine, Max Radin, and A. A. Berle, Jr.; "Legislation" by the late Ernst Freund; "Legislative Assemblies" by W. J. Shepard, Lindsay Rogers, Arthur N. Holcombe, K. Smellie, Roger Soltau, W. E. Rappard, and a half-dozen others; "Liberalism" by Guido de Ruggiero; "Local Government" by William A. Robson; "Political Machine" by E. M. Sait; "Mandates" by Quincy Wright; "Metropolitan Areas" by Thomas H. Reed; "National Minorities" by Max H. Boehm; and "Monarchy" by Carl J. Friedrich and Frederick M. Watkins. In writing of the history and theory of legislative assemblies, Professor Shepard observes that the most important reason for the frequently discussed decline of legislative bodies is probably their "increasingly unrepresentative character." He believes that a new type of legislative body is perhaps necessary and urges further study of the various plans of proportional and functional representation. In his article on "Congress," Lindsay Rogers observes that "of late it has become increasingly fashionable to complain of Congress and to sneer

at it," and gives the lack of responsible leadership as one reason for the situation. "Nevertheless," he concludes, "it may be said that in general Congress adequately represents the country, that under strong presidents who furnish real leadership it is complained of less frequently than under weak presidents, and that on the average its collective intelligence is not measurably inferior to the intelligence of the average president." Ruggiero points out that while the "menace of communism . . . as well as the ill feeling engendered by economic and political nationalism [in the post-war period] has still further aggravated anti-liberal forces, it is possible that extreme oppression may once again generate new stimuli to liberty." Friedrich and Watkins conclude that monarchies are gradually disappearing, nor do efforts at monarchical restoration seem generally promising. This tendency may, however, be reversed, if the present drift toward monocratic rule in the form of dictatorship continues. "As in the days of Augustus, monarchical restoration by providing executive leadership may come to be looked upon as the most promising method of reestablishing constitutional government."—A. C. HANFORD.

Since the World War, unprecedented attention has been directed toward the cultivation of international understanding through the medium of instruction in schools and colleges. In his *The Schools and International Understanding* (University of North Carolina Press, pp. xxvii, 243), Spencer Stoker gives evidence of further interest in this subject, joining the many writers of the last decade who in brief monographs and magazine articles have emphasized one or more phases of the problem of training in international-mindedness. Mr. Stoker attempts in Part I of his book to describe efforts to promote international understanding through higher schools and colleges, and in Part II to discuss those which originate in the lower schools. Part I takes up such matters as the activities of the international federation of the League of Nations Societies, national university offices and international student organizations, international student interchange through scholarships, travel, international house and universal city, the international interchange of professors, projects such as an international university, the coördination of institutions of international studies, and vacation courses for foreign students. In the secondary and elementary schools, the author discusses educational provisions with reference to ethnic minorities, international federations of teachers and other educational organizations, and the League of Nations as organs promoting international understanding; the attempt of the League of Nations to promote instruction upon its activities in the schools; history teaching and textbook revision; and school contacts in international understanding through international correspondence and other forms of inter-school associations. It is obvious that a thorough

discussion of these various topics should represent a wide-sweeping analysis of the great body of literature which deals with this subject. Unfortunately, judging by content, footnote citations, and formal bibliography, the author has failed to compass much of such material as is easily available. Certainly, among others, the studies of Florence Brewer Boeckel, William Carr, Charles E. Merriam, and Jonathan French Scott should appear. The *Report on Nationalism in History Textbooks* prepared and compiled by the working committee of a special commission on education in Stockholm seems to have been passed by, although it obviously represents one of the sources which should have been used in such a discussion. However, the book assembles in compact and accessible form and digests materials which are desirable in an undertaking of this nature, particularly pronouncements of the League of Nations Association and groups such as the Institute of International Education.—BESSIE LOUISE PIERCE.

Methods of Statistical Analysis in the Social Sciences (John Wiley and Sons, Inc., pp. xi, 355), by George R. Davies and Walter F. Crowder, is intended as a class and laboratory manual for an introductory course on statistics as applied to the social sciences. The authors have sought to concentrate upon the techniques and logic of statistical analysis, leaving the broader problems of methodology and the more detailed problems of application to be considered in connection with the many other courses making use of statistical data and affording opportunity for the extension of statistical research. Each chapter has been subdivided so as to give first the more elementary and basic processes, and later the more complex and specialized techniques; and each chapter is concluded with exercises intended to give sufficient practice in computation to fix these techniques in mind. The first of these features, the presentation of supplementary techniques, makes the volume one which statistically inclined students of government and politics might well add to their collection of handy reference books. The second feature, the laboratory exercises, adds force to the suggestion that political scientists may not find the manual entirely acceptable for use in a general statistics course which would be intended as the basis of continued statistical work in their field. The curricular problem raised by the unnecessary duplication of effort in the many introductions to statistics offered by the several social science departments is a very real one; but it is also one that does not permit of acceptable adjustment all at once. The legitimate demands which may be made upon such a basic course, and upon its pedagogical devices, by statistical workers in all of the social disciplines need to be formulated, consolidated, and met: In some part, it is just such coöperation of the instructional staff in a college of commerce that will make the volume a valuable device for instruction in the techniques of statistical analysis of economic data.—HERMAN C. BEYLE.

The Discovery of Europe (E. P. Dutton and Co., pp. 296), by Paul Cohen-Portheim, is a melancholy, but at times fascinating, sequel to *England the Unknown Isle* which might less cryptically have been entitled "Post-War Europe; A Study in Humanistic Nostalgia." For the author's point of departure is that Europe has betrayed her spiritual self by surrendering, all too much, to the "false gods" of nationalism, communism, fascism, and Americanism. It is for the return of the *humanistic* tradition that Mr. Cohen-Portheim longs so wistfully on almost every one of his colorful pages. Yet, for all his subjective yearnings, he realizes that Europe cannot "go back to the pre-war or the Victorian age, the eighteenth century, or the last Renaissance, for there has been vast progress and it continues." What, then, is his plea? It is that Europe learn how to master the machine; and he professes to believe—or is it merely wishful thinking?—that Europe can somehow or other "rediscover that human personality comes first, and that both the machine and the state should be its servants and not its masters." But for the achievement of this happy condition, the author admittedly has no political or economic formula to offer his readers. Those interested in the cultural *milieu* in which politics must always operate will probably enjoy most his vivid pen-sketches of what he affectionately calls "My Europe" (pre-war). Here the reader may re-live with him the on-rushing Berlin of the Tiergarten era, sense the feverish gaiety of Vienna during the twilight of the Hapsburgs, and breathe the scintillating atmosphere of the Paris salon of yester-years. In this Europe, and today as well, France stands, for Cohen-Portheim, a German by blood, French by professional training, and English by adoption, as "the pillar of Europeanism," with all the defects of its virtues —Latin, Catholic, self-centered, but humanist. This theme the author has subsequently amplified in *The Spirit of France*, which appeared a few months ago.—WALTER R. SHARP.

A sizeable coöperative volume entitled *An Introduction to Western Civilization* (Doubleday, Doran and Co., pp. vii, 854), by George A. Hedger and others, is planned as a basic text for an orientation course in the social sciences for undergraduate students. The social sciences are conceived to include history, political science, economics, sociology, ethics, education, and religion. The section on political science (144 pages) was written by Messrs. Gardner, Shumate, Stene, and Vinacke. In treating of human institutions—whether political, economic, or sociological—three principles have guided the authors: first, the historical approach is employed; secondly, the fundamental principles upon which the science is based are analyzed; finally, the application of these principles to current problems is emphasized, supplemented by a series of questions for class-room use. The plan of the survey has been excellently executed. The

contributors are alive to modern tendencies in the social sciences; and there is a refreshing objectivity in the treatment of controversial matters, without, however, leaving the reader in intellectual mid-air; for the authors reach conclusions which they do not hesitate to express. If a survey course covering all of the social sciences can be made comprehensible by the average American undergraduate—and this is still an educational enigma—the present book will contribute definitely to that end.—GEDDES W. RUTHERFORD.

Mellon's Millions; The Life and Times of Andrew Mellon (John Day Co., pp. xi, 443), by Harvey P. O'Connor, is what the book says it is on the title-page—"the biography of a fortune." It is in no sense of the word a biography of the man Mellon; we feel hardly closer to him after reading it than did the Pittsburghers of the early days who knew him only by sight. It is, nevertheless, a revealing book, a work of social importance, throwing much light on the methods, ethics, and achievements of big business in America during recent decades. It clearly and interestingly tells the story of the gradual extension of Mellon control over coal, steel, aluminum, oil, and finance. Mellon's is a fortune that everyone might well be interested in reading about, since no one escapes contributing to it. The story will arouse the public's ire, and those individuals who think of economic and social evil in terms of a person instead of a system will put the recent Secretary of the Treasury down as a strong contender for the rôle of America's Public Enemy No. 1. The author, Harvey P. O'Connor, is a newspaper man and a resident of Pittsburgh. His materials are presented well and his style is lively. He deals with exact figures, and lest the significance of his startling story escape the reader, the biographer tells it in sardonic vein. There are no footnotes, but at the end of the volume are ten pages of notes concerning sources, including court records and decisions, official investigations, trade journals, biographies, and other books.—J. T. SALTER.

Many contributions to American history appear in Arthur Cecil Bining's *British Regulation of the Colonial Iron Industry* (University of Pennsylvania Press, pp. ix, 163). His accurate and inclusive research shows that this industry was more widely extended in early America than previously supposed. The study throws much light upon British policy with reference to the colonies as markets, and presents an excellent analysis of group interests in the English iron industry which clashed over the Iron Act of 1750. The industrial progress of the colonies and imperial restrictions to arrest it stand forth (and correctly, in the reviewer's mind) as important factors in the movement toward political independence. Few studies have presented so clearly the two major problems of imperial England in the eighteenth century—the harmonizing of conflicting interests within the empire and the enforcement of measures once adopted.

Mr. Bining is to be commended for refusing to let detail obscure the conclusions of his study.—CURTIS NETTELS.

Dr. G. Adolf Koch's *Republican Religion; The American Revolution and the Cult of Reason* (Henry Holt and Company, pp. xvi, 334) is No. VII in the American Religion Series. It deals with deism and religious freethinking in the period after the Revolution and down to about 1810, when the tendency practically disappeared before the rise of Evangelicism. The book includes not only chapters on such relatively well known individuals as Ethan Allen, Elihu Palmer, and Tom Paine, but also an account of several attempts, through societies and journals, to make deism a popular religious movement. Dr. Koch's general conclusion is that deism in America was less a philosophical system than in Europe, but "was really an anti-clerical theism." The deists differed little in theory from many men of position and education, but wholly failed to attract such men to a movement that was regarded as radical and subversive. Dr. Koch's book is accurate, well documented, and offers an excellent account of one phase of the social and cultural history of the United States.—GEORGE H. SABINE.

The Foundations of Political Science (Columbia University Press, pp. ix, 158) is a reprint of selected portions of the classic work of the late Professor John W. Burgess, *Political Science and Comparative Constitutional Law*, published in 1890 and no longer easily obtainable. The reprint was suggested by President Butler (who supplies a foreword to the volume) as long ago as 1917, but though prepared by the author before his death, was not actually issued until 1933. President Butler tells us that he urged, in particular, the reprinting of those chapters of the original work which set forth Professor Burgess' interpretation of such fundamental political concepts as "nation," "state," "government," and "liberty;" and in four books, bearing these respective titles, the appropriate sections of the earlier work are now reproduced almost exactly as originally printed except for a few changes of figures and other factual data. If, as President Butler thought, Burgess' profound and lucid exposition of the subjects treated might be expected to have value for a war-torn world soon to be confronted with the task of peace-making, it will hardly be denied that it should have worth for a harrassed present-day world of variously colored shirts, dictators, mandates, minorities, and new deals.

The paradox which Mr. David Livingston Crawford pictures in his *Paradox in Hawaii* (Stratford Company, pp. iv, 262) is an educational system producing a white collared class which the industrial system does not absorb. The book, in lucid and forthright style, describes the unhappy situation, explains how it came to be, suggests possible educational and industrial correctives, and concludes that only trial and error will restore to the islands that blessed Utopia which existed prior to the importation of cheap Oriental labor.

RECENT PUBLICATIONS OF POLITICAL INTEREST

BOOKS AND PERIODICALS

CHARLES S. HYNEMAN
University of Illinois

AMERICAN GOVERNMENT AND PUBLIC LAW

Books

Abbot, W. J. Watching the world go by. Pp. 370. Boston: Little, Brown.

Angluin, E. F. The use and control of alcoholic drink. Pp. 141. Washington: Catholic Univ.

Barnes, I. R., ed. Cases on public utility regulation. Ann Arbor, Mich.: Edwards Bros.

Bowen, H. H. Workmen's compensation insurance. Pp. 20. N. Y.: Am. Management Assoc.

Brady, J. E., ed. Banking act of 1933 and the emergency act of 1933. Cambridge, Mass.: Banking Law Jour.

Brady, J. E., ed. Home owners' loan act of 1933 and federal home loan bank act of 1932. Cambridge, Mass.: Banking Law Jour.

Brady, J. E., ed. Securities act of 1933. Cambridge, Mass.: Banking Law Jour.

Butler, R. J., and *Driscoll, J.* Dock walloper: the story of a politician. Pp. 285. N. Y.: Putnam.

Callender, C. N., ed. The crisis of democracy. Pp. 273. Philadelphia: Am. Acad. Pol. & Soc. Sci.

Cantwell, T. W., ed. Tax law and other general laws relating to taxation of the state of New York. 1933 ed. Pp. 559. Albany: M. Bender.

Chapman, J. M. The banking concentration movement. N. Y.: Columbia Univ.

Chase, Stuart. The promise of power. Pp. 32. N. Y.: John Day.

Coleman, Charles H. The election of 1868. N. Y.: Columbia Univ.

Collie, Sir John. Workmen's compensation: its medical aspect. Pp. 167. Baltimore: Williams & Wilkins.

Crawford, D. L. Paradox in Hawaii. Pp. 266. Boston: Stratford.

Dart, R. The puppet show in Washington. N. Y.: McBride.

Defenback, Byron. The state we live in—Idaho. Pp. 355. Caldwell, Idaho: Caxton Printers.

Dennett, Tyler. John Hay: from poetry to politics. N. Y.: Dodd, Mead.

Economic planning: can depressions be abolished? Pp. 26. Columbus: Am. Educ. Press.

Evans, L. B. Cases on American constitutional law. 3d ed. Pp. 1304. Chicago: Callaghan.

Farnham, Dwight. The effect of currency inflation. Pp. 19. N. Y.: Am. Management Assoc.

Faÿ, Bernard. Roosevelt et son Amérique. Pp. 285. Paris: Plon.

Field, Kenneth. Public utility holding corporations. (Pamphlet.) Boulder, Colo.: Univ. of Colo.

Flynn, J. T. Security speculation. N. Y.: Harcourt, Brace.

Gann, Dolly. Dolly Gann's book. N. Y.: Doubleday.

Hallgren, M. A. Seeds of revolt. Pp. 388. N. Y.: Knopf.

Handbook of NRA laws, regulations, codes. Pp. 413. N. Y.: Federal Codes.

Holcombe, A. N. The new party politics. N. Y.: Norton.

Knapp, G. L. Uncle Sam's government at Washington. Pp. 294. N. Y.: Dodd.

Landis, B. Y. The third American revolution. Pp. 160. N. Y.: Am. Country Life Assoc.

Laughlin, J. L. The federal reserve act: its origin and problems. N. Y.: Macmillan.

Lazarus, A. Recent developments in budgeting. Pp. 20. N. Y. Am. Management Assoc.

Lewis, E. E., and *Others.* A primer of the new deal. Pp. 64. Columbus: Am. Educ. Press.

McFarland, Carl. Judicial control of the federal trade commission and the interstate commerce commission. Pp. 213. Cambridge, Mass.: Harvard Univ.

Mallon, G. W. Bankers vs. consumers. Pp. 155. N. Y.: John Day.

Mohr, W. H. Federal Indian relations, 1774–1788. Pp. 258. Philadelphia: Univ. of Pa.

Monteith, R. J., and *Burack, A. S.* Methods and procedure in federal purchasing. Pp. 352. Boston: Bruce Humphries.

Mort, P. R., and *Others.* State support of public education. Pp. 496. Washington: Am. Council on Educ.

Munro, W. B. The government of the United States; national section. 3d ed. Pp. 807. N. Y.: Macmillan.

National Conference on the Relation of Law and Business. Current problems in public finance. N. Y.: Commerce Clearing House.

National Industrial Conference Board. Economic reconstruction legislation of 1933. Pp. 226. N. Y.: Nat. Indus. Conf. Bd.

National Survey of School Finance. Research problems in school finance. Pp. 164. Washington: Am. Council on Educ.

Osias, C., and *Baradi, M.* The Philippine charter of liberty. Pp. 236. Baltimore: French Bray Co.

Pickell, J. R., and *Boyle, J. E.* The fate of the Wallace fallacies. (Pamphlet.) Ithaca, N. Y.: Authors.

Reed, Thos. H., ed. Government in a depression. (Pamphlets.) Chicago: Univ. of Chicago.

Reed, Thos. H., ed. Legislature and legislative problems. (Pamphlets.) Chicago: Univ. of Chicago.

Rodgers, Cleveland. The Roosevelt program. Pp. 275. N. Y.: Putnam.

Roosevelt, Mrs. F. D. Its up to the women. N. Y.: Stokes.

Russell, Charles E. Bare hands and stone walls. N. Y.: Scribner's.

Services and costs of the government. Pp. 23. Columbus: Am. Educ. Service.

Shinner, E. G. The forgotten man. Pp. 178. Chicago: Patterson.

Silzer, G. S. The government of a state. Newark: Soney & Sage.

Sims, John G. After the depression and prohibition, what? Ft. Worth: Author.

Steiner, W. H. Money and banking. Pp 941. N. Y.: Holt.

Stevenson, M., and *Brown, L. W.* Federal and state legislation for unemployment relief and national recovery, 1933. Pp. 19. Chicago: Pub. Admin. Service.

Stimson, E. S. Jurisdiction and power of taxation. Pp. 119. Kansas City, Mo.: Vernon Law Book Co.

Wesley, E. B., and *Others.* Workbook in problems in American democracy. Pp. 176. Boston: Heath.

Articles

Administration. What is public administration? *Marshall E. Dimock.* New tasks for public administrators. *C. A. Dykstra.* Pub. management. Sept., Oct., 1933.

———. Special interests and the interstate commerce commission. *E. P. Herring.* Am. Pol. Sci. Rev. Oct., 1933.

Administrative Law. The right to be heard before the United States tariff commission. *R. S. Smethurst.* George Washington Law Rev. May, 1933.

———. Proposed reforms in judicial review of federal administrative action. *O. R. McGuire.* Am. Bar Assoc. Jour. Aug., 1933.

Agriculture. Federal farm legislation. *P. J. Kern.* Columbia Law Rev. June, 1933.

———. Farmocracy. *E. L. McDowell.* No. Am. Rev. Sept., 1933.

Anti-Trust Legislation. The Appalachian coal case and the rule of reason. *J. D. Eldridge, Jr.* The R.C.A. consent decree. *Unsigned.* George Washington Law Rev. May, 1933.

Banking. Coming changes in our banking system. *Wm. Hayes.* What the U. S. treasury is doing to reopen your bank. *J. F. T. O'Connor.* Bankers Mag. Aug., Sept., 1933.

———. Wanted: real banking reform. *Guy Greer.* Harper's. Oct., 1933.

Constitutional Law. The power of a state officer to raise a constitutional question. *Note Editor.* Columbia Law Rev. June, 1933.

———. Autour du XVIII[e] amendement à la constitution des états unis d'amérique. *M. Battelli.* Rev. Droit Pub. et Sci. Pol. Apr.–June, 1933.

———. State constitutional law in 1932–33. *Charles G. Haines.* Am. Pol. Sci. Rev. Aug., Oct., 1933.

Federal-State Relations. Shall we abolish our republican form of government. *C. E. Martin.* Am. Bar Assoc. Jour. Aug., 1933.

———. Our growing federal power. *F. H. Hatfield.* Ind. Law Jour. Oct., 1933.

———. Border wars. *F. C. Peters.* Through federal binoculars. *T. H. MacDonald.* State Govt. Oct., 1933.

Gold Standard. Economic and legal effects of the "gold clause" dilemma. *C. F. Rothenburg* and *W. A. Bowers.* George Washington Law Rev. May, 1933.

———. Gold and our honor. *Garrard Glenn.* Va. Quar. Rev. Oct., 1933.

Governmental Functions. The United States bureau of biological survey. *P. G. Redington.* Scientific Mo. Oct., 1933.

Health. Reducing the public health budget. *G. F. Canfield, M. Nicoll, Jr.,* and *K. Emerson.* Nat. Mun. Rev. Sept., 1933.

Labor. "The labor injunction." *P. F. Brissenden.* Pol. Sci. Quar. Sept., 1933.

Legislation. The Kansas legislative council. *C. S. Strain.* Governors' messages and the legislative output in 1933. *Dorothy Schaffter.* Am. Pol. Sci. Rev. Oct., 1933.

Milk. Regulation of milk marketing in Wisconsin. *F. A. Staten.* Jour. Land & Pub. Util. Econ. Aug., 1933.

———. Milk—the problem on your doorstep. *J. Dreier* and *K. Foss.* New Outlook. Oct., 1933.

Monetary System. The fight over money. *P. E. Anderson.* No. Am. Rev. Oct., 1933.

Moratory Legislation. Governmental action on farm mortgage foreclosures. *H. D. Scott.* George Washington Law Rev. May, 1933.

———. The legislatures and the relief of debtors. *J. P. Chamberlain.* Am. Bar Assoc. Jour. Aug., 1933.

Narcotics. Dope. *J. E. Hughes.* State Govt. Sept., 1933.

New Deal. La dictature Roosevelt. L'expérience Roosevelt. *Bernard Faÿ.* Rev. de Paris. June 1, Sept. 1, 1933.

———. Revolution, 1933. *G. F. Milton.* Southwest Rev. Spring, 1933.

———. Design for government. *R. G. Tugwell.* Pol. Sci. Quar. Sept., 1933.

———. What's behind the recovery laws? *A. A. Berle, Jr.* Scribner's. Sept., 1933.

———. Roosevelt's new deal. *R. P. Arnot.* Labour Mo. Sept., 1933.

———. The final verdict on recovery. *Paul Hutchinson.* Forum. Sept., 1933.

———. The great American experiment. *F. E. Brown.* Turning the corner. *B. Ostrolenk.* The Roosevelt "revolution." *Suzanne La Follette.* Current Hist. Sept., Oct., 1933.

———. Contribution of the New York legislature to national recovery. *Chas. Polletti.* N. Y. Bar Assoc. Bull. Oct., 1933.

———. This economic nationalism. *W. Y. Elliott.* Atlan. Mo. Oct., 1933.

———. The Roosevelt revolution. *Walter Millis.* Va. Quar. Rev. Oct., 1933.

———. The crusade for national recovery. *Philip Cabot.* Yale Rev. Autumn, 1933.

Nominations. Two trials of Oklahoma's run-off primary. *L. V. Murphy.* Southwestern Soc. Sci. Quar. Sept., 1933.

N.R.A. The national industrial recovery act. *Milton Handler.* Am. Bar Assoc. Jour. Aug., 1933.

———. Controlled recovery. *John Dickinson.* Atlan. Mo. Sept., 1933.

———. Steel and the N.R.A. *J. A. Fitch.* Survey, Oct., 1933.

———. The N.R.A. goes into action. *F. C. Springer.* Harper's. Oct., 1933.

———. America under N.R.A. *E. F. Brown.* Current Hist. Oct., 1933.

———. Fascist economic policy and the N.R.A. *W. K. Welk.* For. Affairs. Oct., 1933.

———. Industrial relations in the South and the NIRA. *H. L. Herring.* Social Forces. Oct., 1933.

Old Age Pensions. Experience under state old-age pension laws in 1932. *Unsigned.* Monthly Labor Rev. Aug., 1933.

Personnel. Merit vs. spoils in public employment. *H. B. Mitchell.* Political patronage threatens democracy. *Clyde L. King.* Nat. Mun. Rev. Oct., 1933.

Philippines. Le problème de l'indépendance des Iles Philippines. *P. Mousset.* Correspondant. Apr. 25, 1933.

———. The status of the Philippine Islands under the independence act. *F. C. Fisher.* Am. Bar Assoc. Jour. Aug., 1933.

Political Parties. Campaign funds in a depression year. *Louise Overacker.* Am. Pol. Sci. Rev. Oct., 1933.

Practical Politics. The magnitude of the task of the politician. *F. M. Davenport.* Harvard Bus. Rev. July, 1933.

———. I hold office. *H. M. Alexander.* Harper's. Sept., 1933.

———. A Philadelphia magistrate tells his story. *J. T. Salter.* Nat. Mun. Rev. Oct., 1933.

———. The fief of futility. *J. M. Nolte.* No. Am. Rev. Oct., 1933.

Prohibition. The liquidation of prohibition. *Mrs. Zangwill.* Contemp. Rev. Aug., 1933.

———. The "dry south" dampens. *W. W. Ball.* Va. Quar. Rev. Oct., 1933.

Public Utilities. Public control of contract motor carriers. *J. J. George.* Service contracts in the Electric Bond and Share Company. *N. S. Buchanan.* Jour. Land & Pub. Util. Econ. Aug., 1933.

———. The utilities on the "hot spot." *Howell Wright.* The bogie of federal regulation. *B. W. Lewis.* Recent revamping of the state commissions. *H. R. Gallagher.* Public utility and progressive propaganda in the Congressional Record. *H. Corey.* The crisis confronting the commissions. *W. A. Prendergast.* New jobs for the state commissions. *T. E. Shearer.* The pending conflict between federal and state regulation. *A. H. Ulm.* Pub. Util. Fort. Aug. 17, 31, Sept. 14, Oct. 12, 1933.

———. **Rates.** The value of the service: its various meanings and uses. *Eleanor Heyman.* Jour. Land & Pub. Util. Econ. Aug., 1933.

———. The uncertainties in the legal status of temporary rates. *J. C. Swidler.* A revolutionary principle of rate-making. *H. C. Spurr.* Why expenses for utility advertising should be listed as advertising costs. *R. B. Calkins.* Pub. Util. Fort. Aug. 3, 17, 31, Sept. 28, 1933.

Public Welfare. Public welfare and social work. *W. S. Reynolds* and *Others.* Social Service Rev. Sept., 1933.

———. Reducing the welfare budget. *R. Boeckel, Lewis Meriam,* and *Frank Bane.* Nat. Mun. Rev. Sept., 1933.

Public Works. More money for public works. *D. C. Stone, C. Schneider,* and *A. E. Roche.* Nat. Mun. Rev. Oct., 1933.

Radio. The American vs. the British system of radio control. *Symposium.* Cong. Digest. Aug.–Sept., 1933.

Railroads. The passing of the era of regulation by competition. *K. Stecher.* The task before the federal coördinator of transportation. *R. E. Elgen.* Pub. Util. Fort. Aug. 17, Oct. 12, 1933.

Regulation of Business. Experiments on parade. *R. R. Doane.* New Outlook. Sept., 1933.

———. Judicial and legislative reflections of economic changes. *G. E. Bushnell.* Com. Law Jour. Oct., 1933.

Roosevelt Administration. Mr. Roosevelt's "soviet" republic. *Irishman.* National Rev. Sept., 1933.

———. The crisis before Mr. Roosevelt. *S. K. Ratcliffe.* Fort. Rev. Sept., 1933.

———. Capitol men. *W. M. Kiplinger.* New Outlook. Oct., 1933.

Securities. The new federal securites act. *Wm. M. Wherry.* The effects of the recovery program on utility securities. *F. Tilden.* Public utility financing under the new deal. *G. B. Ruddick.* Pub. Util. Fort. Aug. 3, Sept. 28, 1933.

———. Regulations of brokers' loans. *W. J. Eiteman.* Am. Econ. Rev. Sept., 1933.

———. The Wall Street water pump. *J. T. Flynn.* Harper's. Sept., 1933.

———. The securities bill and foreign investments. *W. T. Winslow.* No. Am. Rev. Sept., 1933.

———. The securities act and foreign lending. *J. F. Dulles.* For. Affairs. Oct., 1933.

———. The stock market and the public. *N. R. Danelian.* Altan. Mo. Oct., 1933.

———. High finance: master or servant? *A. A. Berle, Jr.* Yale Rev. Autumn, 1933.

Sterilization. The human sterilization movement. *J. H. Landman.* Jour. Crim. Law & Crim. July–Aug., 1933.

Social Planning. Legislation and social economic planning. *C. W. Pipkin.* Southwest Rev. Spring, 1933.

———. After NIRA—a lasting recovery. *A. L. Deane.* Survey. Oct., 1933.

Tariff. Congressional tariff theory. *Frank W. Fetter.* Am. Econ. Rev. Sept., 1933.

Taxation. Progressive taxation on the incomes of corporations. *M. Kambe.* Kyoto Univ. Econ. Rev. July, 1933.

———. Air craft motor fuel tax. *Wm. M. Allen.* Air Law Rev. July, 1933.

———. Does the power to tax involve the right to destroy a lawful business? *A. J. Levin.* U. S. Law Rev. Sept., 1933.

———. New deals in taxation. *Clarence Heer.* State Govt. Sept., 1933.

———. The crisis in the property tax. *E. S. Griffith* and *Thomas Adams*. Am. City. Oct., 1933.

———. Tax assessments during a depression. *J. A. Zangerle*. Pub. Management. Oct., 1933.

Unemployment. Unemployment insurance and the Wisconsin act. *W. A. Morton*. Am. Econ. Rev. Sept., 1933.

———. Unemployment insurance. *Symposium*. Am. Labor Legis. Rev. Sept., 1933.

Veterans. Embattled veterans. *Roger Burlingame*. Atlan. Mo. Oct., 1933.

Waterways. Bringing the ocean to the prairies. *W. L. Smyser*. Contemp. Rev. Aug., 1933.

FOREIGN AND COMPARATIVE GOVERNMENT

Books

Alcalá-Galiano, A. The fall of a throne. Pp. 256. London: Butterworth.

Angell, Sir Norman. From chaos to control. Pp. 208. N. Y.: Century.

Anon. Germany: twilight or new dawn? N. Y.: McGraw-Hill.

Armstrong, H. F. Hitler's reich: the first phase. Pp. 73. N. Y.: Macmillan.

Badie, V. Les principaux aspects du socialisme reformiste en France. Pp. 140. Montpellier: Progrès.

Batilliat, René. Origine et developpement des institutions politiques en Lithuanie. Lille: Mercure.

Batson, H. E. The price policies of German public utility undertakings. Pp. 244. N. Y.: Oxford.

Beals, Carleton. The crime of Cuba. Pp. 472. Philadelphia: Lippincott.

Bining, A. C. British regulation of the colonial iron industry. Pp. 175. Philadelphia: Univ. of Pa.

Bloss, E. W. Die badischen Staatsfinanzen in der Nachkriegszeit unter wirtschaftliches, politisches und soziolischem Aspekt. Pp. 312. Bruchsal: Kruse.

Bonjour, Henry. Le budget du Reich: vote, exécution, contrôle. Pp. 191. Paris: M. Giard.

Buehler, E. C. American vs. British system of radio control. Pp. 316. N. Y.: H. W. Wilson.

Bund zur Erneuerung des Reiches. Die Reichsreform. Pp. 440. Berlin: Hobbing.

Champ, M. La commune mixte d'Algérie. 2e ed. Algiers: Minerva.

Chandan, K. S. Le reveil du paysan bulgare. Pp. 32. Paris: Etoile.

Chen, Chi-Mai. Parliamentary opinion of delegated legislation. Pp. 149. N. Y. Columbia Univ.

Cohen, R. Le nouveau régime douanier égyptien. Pp. 223. Paris: A. Mechelinck.

Cole, G. D. H., and *Others.* What everybody wants to know about money. N. Y.: Knopf.

Dawson, R. M. Constitutional issues in Canada, 1900–31. London: Oxford.

Donald, John. Past parliamentary elections in Greenock. Pp. 75. London: Author.

Duncan, A. White flag, or British villainy in India? Pp. 43. London: Figurehead.

Echeman, J. Les ministères en France de 1914 à 1932. Pp. 104. Paris: M. Rivière.

Essad-Bey. Ogpu: the plot against the world. N. Y.: Viking.

Epstein, M., ed. The statesman's year book. Pp. 1471. N. Y.: Macmillan.

Florinski, M. T. World revolution and the U.S.S.R. Pp. 278. N. Y.: Macmillan.

Forbes, R. Eight republics in search of a future. Pp. 352. London-Cassell.

Fox, Ralph. Lenin. Pp. 320. London: Gollancz.

Fraser, H. F. Great Britain and the gold standard. Pp. 218. N. Y.: Macmillan.

Girard, A. Les minorités nationals ethniques et religieuses en Bulgarie. Pp. 203. Paris: Giard.

Gordon, E. La responabilité du chef de l'état dans la pratique constitutionnelle récente: étude de droit comparé. Pp. 280. Paris: Jouve.

Hindus, Maurice. The great offensive. Pp. 286. London: Gollancz.

Hirst, F. W. Money, gold, silver, and paper. Pp. 272. London: Scribner.

Hitler, Adolf. My battle. Boston: Houghton, Mifflin.

Hohman, Helen F. The development of social insurance and minimum wage legislation in Great Britain. Pp. 462. Boston: Houghton, Mifflin.

Hsu, Han Hao. L'administration provinciale en Chine. Pp. 134. Nancy: de Granville.

Indian Student. The key to freedom and security in India. Pp. 297. London: Oxford.

Inman, S. G. América revolucionaria. Pp. 340. Madrid: Morata.

Japan Times Year Book, 1933. Pp. 662. London: Probsthain.

Jezowa, K. Politische propaganda in der deutschen Gegraphie. Pp. 80. Danzig.

Lampert, Joseph. La distinction des lois constitutionnelles et ordinaires dans les différents états de l'Europe moderne. Pp. 183. Paris.

Larrieu, Jean. L'aménagement de la dette public intérieure dupuis la fin de la guerre. Pp. 334. Paris: Recueil Sirey.

Lequenne, F. Contribution à l'étude du contentieux administratif d'interpretation. Pp. 203. Poitiers: H. Mansuy.

Lloyd George, David. War memories of David Lloyd George, 1914–1915. Vol. I. Boston: Little, Brown.

Loutzitch, D. La constitution de 1931 du royaume de Yougoslavie. Pp. 300. Paris: Bossuet.

Lubrouquère, A. La Bolivie nouvelle, ses problèmes financiers. Paris: Domat-montchretien.

Lumley, F. E. The propaganda menace. Pp. 454. N. Y.: Century.

Markert, W. Eine politische Soziologie in Russland. Pp. 274. Leipzig: Teubner.

Markovitch, Y. L'organization administrative de la Yougoslavie prévue par la loi du 3 octobre 1929. Pp. 96. Paris: P. Bousset.

Mehta, Gaganvihari. The conscience of a nation, or studies in Gandhiism. Pp. 42. Calcutta: Author.

Milhaud, Edgar. A gold truce. Pp. 153. London: Williams & Norgate.

Moss, Warner. Political parties in the Irish Free State, N. Y.: Columbia Univ.

Mouskhelichvile, M. La théorie juridique de l'état fédéral. Pp. 303. Paris: A. Pedone.

Muret, Charlotte T. French royalist doctrines since the revolution. Pp. 334. N. Y.: Columbia Univ.

Niveau de Villedary, Henry. Le conseil national économique et la représentation professionelle. Pp. 189. Bordeaux: Y. Cadoret.

Ors, Juan. España y Cataluna. Pp. 140. Madrid: Ediciones Historia Nueva.

Pataa, M. L'attitude des divers partis politiques anglais à l'égard du problème du chômage. Pp. 360. Paris: Lavergne.

Paul. L'Andorre s'éveille. Paris: Soubiron.

Paulme, M. Le recours en cassation devant le conseil d'état. Pp. 204. Paris: Recueil Sirey.

Philibert, J. Le but et le motif dans l'acte administratif. Pp. 148. Bordeaux: Y. Cadoret.

Pitigliani, Fausto. The Italian corporative state. Pp. 293. London: P. S. King.

Quirielle, Louis, Le gouvernement de Moscou et les républiques soviétiques. Pp. 187. Paris: Recueil Sirey.

Rogers, H. Native administration in the Union of South Africa. Pp. 372. London: Kegan Paul.

Roux, M. Les pouvoirs du président du tribunal de commerce. Pp. 184. Paris: R. Pichon.

Savadjian, L. Bibliographie Balkanique, 1931–1932. Paris: Revue de Balkans.

Scheid, O. Les memoires de Hitler et le programme nationale-socialiste. Paris: Perrin.

Sieburg, F. Es werde Deutschland. Pp. 327. Frankfort: Societäts-Verlag.

Souyun, Tcheou. L'évolution de l'opinion publique depuis la révolution de 1911 et l'organisation des partis politiques actuels en Chine. Pp. 192. Nancy: de Granville.

Steffen, F. Die auswärtige Gewalt und der Reichspräsident. Pp. 114. Berlin: Rothschild.

Suignard, Jean. Une grande administration indochinoise: les services civils de l'Indochine. Pp. 187. Paris.

Summary of the fulfillment of the first five-year plan. Pp. 306. N. Y.: Amkniga Corp.

Teresi, J. G. C. Historia economica, financiera, y politica de España en el siglo XX. Pp. 455. Madrid: El Financiero.

Ting, T. C. La douane Chinoise. Pp. 215. Paris: Jouve.

Unemployment insurance. Pp. 23. Columbus: Am. Educ. Service.

Vion, M. Dettes politiques et dettes commerciales. Pp. 256. Paris: Dalloz.

Von Koenigswald, H. Revolution 1918. Pp. 228. Breslau: Korn.

Willis, John. The parliamentary powers of English government departments. Pp. 220. Cambridge, Mass.: Harvard Univ.

Woodhead, H. G. W. China Year Book, 1933. London: Simpkin.

Zimmern, A. and *Others.* India analysed. Vol. I. Pp. 192. London: Gollancz..

Zurcher, A. J. The experiment with democracy in central Europe, N. Y.: Oxford

Articles

Argentina. La escuela en el regimen de organizacion de la instruccion publica argentina. *A. Acuna.* Nosotros. Apr., 1933.

Australia. Some aspects of Australian state-federal relations. *K. O. Warner.* Social Forces. Oct., 1933.

British Empire. False political phrases. *J. S. Ewart.* The views and influence of John S. Ewart. *J. W. Dafoe.* Canadian Hist. Rev. June, 1933.

———. The British Guiana constitution. *G. E. L. de Weever.* National Rev. Aug., 1933.

———. The constitutional significance of the British colonial empire. *T. W. Wallbank.* Crown Colonist. Sept., 1933.

———. British empire economic policies. *J. B. Brebner.* The crumbling British empire. *F. G. S. Schiller.* Current Hist. Sept., Oct., 1933.

———. British Malaya. *John A. Fairlie.* Am. Pol. Sci. Rev. Oct., 1933.

Canada. Confederation in Prince Edward Island. *D. C. Harvey.* Canadian Hist. Rev. June, 1933.

———. Some problems of Canadian federalism. *Harold W. Stoke.* Am. Pol. Sci. Rev. Oct., 1933.

China. Mongolia in the melting pot. *W. W. Davies.* Fort. Rev. Oct., 1933.

Cuba. Revolution in Cuba, *J. Manach.* For. Affairs. Oct., 1933.

———. The downfall of Machado. *H. Herring.* Current Hist. Oct., 1933.

Egypt. L'évolution politique de l'Egypte contemporaine. *G. Meyer.* De l'application simultanée sur le territoire de l'Egypte de lois, d'ordre public internationale emanées de souverainetés différentes. *G. Blanchard.* L'Egypte Contemp. Jan., Apr., 1933.

———. Egypt's anti-Christian outburst. *R. L. Baker.* Current Hist. Sept., 1933.

———. Egypt today. *Arthur Merton.* Fort. Rev. Oct., 1933.

France. Le droit d'amendement en France. *W. Raafat.* Rev. Droit Pub. et Sci. Pol. Apr.–May, 1933.

———. On nous demande une solution. *Comte de Fels.* Rev. de Paris: June 15, 1933.

———. France's new cheerfulness. *Sisley Huddleston.* Contemp. Rev. Sept., 1933.

———. France will not go fascist. *Philip Carr.* Fort. Rev. Sept., 1933.

———. Avant la conférence franco-coloniale. *E. du V. de Streel.* Rev. Deux Mondes. Sept. 1, 1933.

———. State aid to French industry. French domestic problems. *Gilbert Chinard.* Current Hist. Sept., Oct., 1933.

Germany. Kirche und Reich. *H. Schomerus.* Die nationale Revolution und das Ausleben des deutschen Geistes. *E. G. Kolbenhener.* Die Kartelle und der Staat. *E. Banse.* Deutsches Volkstum. June (1), July (1), 1933.

———. Der Rassenkampf im Reich und die Minderheitenpolitik. *Auslanddeutschen.* Deutscher Sozialismus. *G. Weippert.* Deutsche Rundschau. June, Aug., 1933.

———. Dictature hitlérienne et catholiques d'Allemagne. La fin du centre allemand. *R. d' Harcourt.* Rev. Deux Mondes. June 15, Aug., 15.

———. Das Ende des Parteienstaates. *S. Saenger.* Neue Rundschau. Aug., 1933.

———. The development of unemployment relief in Germany. *O. Weigert.* Int. Labour Rev. Aug., Sept., 1933.

———. Bäuerliche Besiedelung der preussischen Ostmark einst und jetzt. *G. Westarp.* Die Haushaltpläne der deutschen Länder für das Rechnungsjahr 1933. *Dr. Spangenberg.* Reich und Länder. Sept., 1933.

———. What Hitler wants. *Leon Trotsky.* Harper's. Sept., 1933.

———. Hitlerism versus catholicism. *Albert Brandt.* Catholic World. Sept., 1933.

———. Is the nazi revolution ended? Germany's war on unemployment. *S. B. Fay.* Current Hist. Sept., Oct., 1933.

———. Hitler speaks. *Alice Hamilton.* Atlan. Mo. Oct., 1933.

———. Are Jews internationalists. *F. J. Oppenheimer.* No. Am. Rev. Oct., 1933.

Great Britain. The session. *Geoffrey Mander.* Contemp. Rev. Aug., 1933.

———. How stands Magna Carta today? *L. S. Amery.* Eng. Rev. Sept., 1933.

———. Coöperators and the state. *C. R. Fay.* Econ. Jour. Sept., 1933.

———. The judges and the constitution. *Sir Alfred Hopkinson.* A century of factory reform. *Harold Stannard.* The future of the labour party. *W. H. Carter.* Fort Rev. Sept., Oct., 1933.

India. The untouchable problem. *C. F. Andrews.* Contemp. Rev. Aug., 1933.

———. Constitutional developments in India. *T. A. Bisson.* For. Policy Rep. Sept. 13, 1933.

———. The white paper on India. *F. Slocock.* Eng. Rev. Sept., 1933.

———. Jeptha's daughter. *Ian Colvin.* National Rev. Sept., 1933.

Ireland. Réalités et théories politiques irlandaises. *Y. M. Goblet.* Grande Rev. June, 1933.

———. Les affaires d'Irlande. *R. Chauviré.* Correspondant. July 25, Aug. 10. 1933.

———. M. de Valera. *R. Chauviré.* Rev. Deux Mondes. Aug. 1, 1933.

———. Mr. de Valera's next move. *Denis Gwynn.* Nine. Cent. Sept., 1933.

———. The Irish political struggle. *J. B. Brebner.* Current Hist. Oct., 1933.

Italy. La politique intérieure du fascisme. *Unsigned.* Rev. de Paris. Aug. 15, 1933.

New Zealand. Democracy in New Zealand. *Lloyd Ross.* For. Affairs. Oct., 1933.

Poland. A new constitution for Poland. *F. A. Ogg.* Current Hist. Oct., 1933.

Portugal. Progress in Portugal. *E. W. Polson Newman.* Contemp. Rev. Sept., 1933.

Russia. Hammer and sickle. *Viscount Lymington.* Eng. Rev. Aug., 1933.

———. Soviet economic development since 1928. *P. Winterton.* Econ. Jour. Sept., 1933.

———. Bolshevism. *Robert Bower.* National Rev. Sept., 1933.

———. The test of soviet economy. *E. S. Furniss.* Current Hist. Oct., 1933.

South Africa. Party fusion in South Africa. *Leonard Barnes.* Fort. Rev. Oct., 1933.

Spain. La situation de l'Espagne. *L. V. Paret* and *Others.* Rev. Econ. Int. Aug., 1933.

———. Unrest in the new Spain. Spain's premier carries on. *W. E. Linglebach.* Current Hist. Sept., Oct., 1933.

———. What Alfonso left behind. *John Gunther.* Harper's. Oct., 1933.

———. Whither Spain? *L. A. Fernsworth.* For. Affairs. Oct., 1933.

Sweden. Sweden's managed currency. *Chas. T. Hallinan.* Forum. Sept., 1933.

Syria. La vérité sur la Syrie. *Unsigned.* Correspondant. April 25, May 10, 1933.

Taxation. Land tax valuation. *J. F. Muirhead.* Contemp. Rev. Sept., 1933.

Turkey. Ten years of Kemalism. *J. W. Collins.* Contemp. Rev. Aug., 1933.

———. Ten years of the Turkish republic. *H. Kohn.* For. Affairs. Oct., 1933.

INTERNATIONAL RELATIONS

Books

Abrams, R. H. Preachers present arms. N.Y.: Round Table.

Akzin, B., and *Others.* La nationalité dans la science sociale et dans le droit contemporaine. Pp. 351. Paris: Recueil Sirey.

Allen, Eleanor W. The position of foreign states before national courts. Pp. 354. N.Y.: Macmillan.

Anon. Marchands de canons. Pp. 256, Paris: Mignolet & Storz.

Araya, P. R. La diplomacia, evolución, profesionalidad, reglamentación. Pp. 178. Madrid: Rosario.

Argoud, Jean. La banque des règlements internationaux dans le cadre l'économie mondiale. Pp. 275. Paris: Chauny & Quinsac.

Armaments year book. Boston: World Peace Found.

Arnou, A. L'organisation internationale du travail et les catholiques. Pp. 112. Paris: Bussière.

Averoff, E. A. Union douanière balkanique. Pp. 277. Paris: Recueil Sirey.

Bainville, J. Histoire de deux peuples continuée jusquà Hitler. Pp. 256. Paris: Fayard.

Barhas, C. Evangile et nationalisme. Pp. 462. Paris: Société Centrale.

Baumel, Jean. Le droit international public: la découverte de l'Amérique et les

théories de Francisco de Vitoria. Pp. 259. Montpellier: Causse, Graille & Castelnau.

Benda, J. Discours à la nation européenne. Paris: Gallimard.

Berend, G. Der Bestand der Freien Stadt Danzig als rechtliches Problem. Pp. 63. Breslau: Nischkowsky.

Berenger, H. La question des dettes. Paris: Hachette.

Berlin, Knud. Denmark's right to Greenland. Pp. 185. London: Oxford.

Bessière, L. Essai sur le règlement de la situation internationale de la ville libre de Dantzig. Pp. 226. Agde, France: Impr. commerciale.

Beveridge, Sir William. Tariffs: the case examined. Pp. 319. N. Y.: Longmans.

Bogart, E. L., ed. Some American proposals for war debt revision. Pp. 44. Urbana, Ill.: Univ. of Ill.

Bonanno, C. Paneuropa malandrina. Pp. 231. Rome: Nuova Europa.

Bonnecase, Julien. Philosophie de l'impérialisme et science du droit. Bordeaux: Delmas.

British yearbook of international law, 1933. London: Oxford.

Buell, Raymond L. The world adrift. N.Y.: For. Policy Assoc.

Chandan, K. S. Le problème juif, facteur de la paix mondiale, Paris: Étoile.

Chang, Yi-Ting. The interpretation of treaties by judicial tribunals. Pp. 196. N. Y.: Columbia Univ. Press.

Chitale, S. D. The world crisis and the problem of peace. Pp. 230. Poona: International Book Co.

Clough, N. P. Beiträge zur Beurteilung der Oesterreichischen Anschlussfrage in der öffentlichen Meinung der Vereinigten Staaten Nordamerikas. Pp. 77. Heidelberg: Meistr.

Codresco, F. La petite entente. Pp. 670. Paris: Bousset.

Coussange, J. Le Slesvig: le droit des peuples et le traite de Versailles. Pp. 285. Paris: A. Pedone.

Cuten, Arnold. Le notion de guerre permise. Pp. 219. Paris: A. Michelinck.

Davidson, D. The rationalization of the gold standard. Pp. 74. London: David Nutt.

Delacôte, A. Le régime de la propriété privée ennemie d'apres le traité de Versailles. Pp. 233. Verdun: H. Frémont.

Dilhac, Pierre. Les accords du Latran. Pp. 460. Paris: Recueil Sirey.

Dresga, T. Les problèmes fondamentaux du droit des gens et la cour permanente de justice internationale. Pp. 189. Paris: Recueil Sirey.

Dutilloy, A. La revision des dommages de guerre. Pp. 151. Paris: Jouve.

Ebner, J. La clause de la nation la plus favorisée en droit international public. Pp. 216. Paris: R. Pichon.

Estienny, P. Le problème de la limitation et de la réduction des armements navales—1921–31. Pp. 387. Toulouse: Andrau & Laporte.

Feller, A. H., and *Hudson, M. O.*, eds. A collection of the diplomatic and consular regulations of various countries. 2 vols. Washington: Carnegie Endowment.

Ferrero, G. Peace and war. N.Y.: Macmillan.

Fischer, O. S. Les traités commerciaux de la Roumanie d'après guerre. Pp. 95. Paris: Presses modernes.

Fruchtman, J. Existe-t-il à l'heure des garanties reélles de paix. Pp. 111. Paris: J. Gamber.

Galabert, H. La commission de coopération intellectuelle de la société des nations. Pp. 240. Toulouse: Lion.

Galloy, J. L'inviolabilité des navires-hôpitaux. Pp. 192. Paris: Recueil Sirey.

Gianni, G. La contume en droit international. Pp. 184. Paris: A. Pedone.

Herriot, E. La France dans le monde. Paris: Hachette.

Hill, R. R. Fiscal intervention in Nicaragua. Leonia, N.J.: Author.

Huddleston, Sisley. War unless—. Pp. 288. London: Gollancz.

Iancoulesco, Victor. La petite entente et l'union européen. Pp. 191. Paris: J. Gamber.

Jamet, Henri. Des responsabilités internationales de l'état et de l'individu en raison des crimes politiques internationaux. Pp. 75. Tours: Eppe.

Jones, R. L. History of the foreign policy of the United States. Pp. 545. N.Y.: Putnam.

Junghann, Otto. Zur Frage der Form einer ständigen Minderheiten Kommission beim Volkerbunde. Vienna: Braumüller.

Keller, Hans K. E. L. Droit naturel et droit positif en droit international public. Pp. 94. Paris: Recueil Sirey.

Kohn, Hans. Nationalism in the soviet union. Pp. 175. N.Y.: Columbia Univ. Press.

Krstoulovitch, Aurel. L'anschluss et la petite entente. Pp. 316. Lyon: Bosc.

Kutscher, E. Abrustung und Völkerbund. Pp. 120. Göttingen: Vanderhoeck & Ruprecht.

Lacombe, M. Le statut juridique international de la navigation aérienne. Pp. 163. Nimes: Thierry.

Lane, A. H. The alien menace. Pp. 238. London: Boswell.

Laurent, J. P. Nationalisme et impérialisme économiques. Pp. 252. Dijon: de Bernigaud & Privat.

Lee, E. B. S. One year of the Japan-China undeclared war. Pp. 587. Shanghai.

Lelek, A. La collaboration économique des nations de l'Europe centrale. Pp. 207. Paris: Jouve.

Lippmann, Walter. Interpretations, 1932–33. N.Y.: Macmillan.

Lyautey, Pierre. Chine et Japon. Pp. 316. Paris: Plon.

MacCorkle, S. A. American policy of recognition towards Mexico. Pp. 119. Baltimore: Johns Hopkins.

Manchester, A. K. British preëminence in Brazil: its rise and decline. Chapel Hill, N.C.: Univ. of N.C.

Manning, W. R., ed. Diplomatic correspondence of the United States in inter-American affairs. Vol. 3, Central America, 1831–1850. Washington: Carnegie Endowment.

Matsudairi, K. Le droit conventionnel international du Japon. Pp. 223. Paris: Recueil Sirey.

Moitessier, A. Le rôle de la banque des règlements internationaux. Pp. 179. Paris: Presses modernes.

Monteilhet, J. La paix par le désarmement. Pp. 258. Paris: Rivière.

Montgelas, G. M. Frankreichs Rüstung. Pp. 63. Leipzig: Hofsterrer.

Mony, S. La paix au Maroc. Paris: Tallandier.

Morel-Fatio, Louis. La nationalité des sociétés. Pp. 143. Paris: Rousseau.

Mouchet, C. Le traité de Latran. Pp. 128. Paris: Recueil Sirey.

Musacchia, G. La questione austriaca e la politica italiana. Pp. 197. Rome: La Laziale.

Naftalisohn, Aser. La protection sociale des travailleurs dans les nouvelles constitutions de l'Europe centrale. Pp. 219. Paris: A. Michelinck.

Nichols, Alan. Neutralität und amerikanische waffenausfuhr. Pp. 145. Berlin: Ebering.

Nichols, B. Cry havoc! Pp. 275. Garden City, N.Y.: Doubleday.

Perrin de Boussac, H. Le statut international de l'espace aérien. Pp. 240. Paris: A. Michelinch.

Pezet, E., and *Simondet, H.* Yougoslavie en peril? Pp. 288. Paris: Bloud & Gay.

Proceedings of the American society of international law. Pp. 272. Washington: Am. Soc. Int. Law.

Reid, L. J. Britain and the war debts. Pp. 108. London: Jenkins.

Reynaud, B. Droit international ouvrier. Pp. 273. Paris: F. Loviton.

Royal Institute of International Affairs. A first report on international monetary problems. Pp. 128. N.Y.: Oxford.

Sandhaus, Edith. Les mandats C dans l'Empire Britannique. Pp. 334. Grenoble: Saint Bruno.

Scherer, J. A. B. Japan—whither? Pp. 145. Tokyo: Hokuseido.

Snow, Edgar. Far eastern front. Pp. 351. N.Y.: Smith & Haas.

Sobieski, W. Der Kamp um die Ostsee van denältesten zeiten bis zur Gegenwalt. Pp. 268. Leipzig: Markert & Petters.

Soulsby, H. G. The right of search and the slave trade in Anglo-American relations, 1814–1862. Pp. 185. Baltimore: Johns Hopkins.

Spaight, Jas. M. Air power and war rights. 2d ed. Pp. 504. N.Y.: Longmans.

Spindler, A. Der Handelskreig mit U-Booten. Pp. 299. Oldenberg: Stalling.

Springmann, E. Die wirtschaftliche Bedeutung des Völkerbundes. Pp. 125. Berlin.

Tascher, Harold. American foreign policy in the selection of the trans-isthmian canal route. (Pamphlet.) Urbana, Ill.: Univ. of Ill.

Tchao, T. T. Evolution des relations diplomatiques de la Chine avec les puissances (1587–1929). Pp. 207. Paris: R. Pedone.

Tessendie, Gaston. La traité des femmes au point de vue national et international. Pp. 141. Aix-en-Provence: Rouboud.

Tobin, H. J. The termination of multi-partite treaties. Pp. 321. N.Y.: Columbia Univ. Press.

Versfelt, W. J. B. The Mangos arbitration. Pp. 156. Utrecht: Kimenk & Zoon.

White, L. C. The structure of private international organizations. Pp. 237. Philadelphia: Ferguson.

Yepes, J. M. Le conflit entre la Colombie et le Pérou devant le droit international Pp. 112. Paris: Jouve.

Zottir, D. Les petits puissances devant la plan Young. Pp. 264. Paris: Presses Universitaires.

Articles

Air Law. L'atmosphere et la navigation aérienne. *A. Ambrosini.* Le règlement des différends internationaux relatifs à l'air. *J. Kroell.* L'attaque pendante la descente en parachute. *E. Riesch.* Rev. Gen. Droit Aérien. Apr.–June, 1933.

Arbitration. The Amistad claims: inconsistencies of policy. *R. E. McClendon.* Pol. Sci. Quar. Sept., 1933.

———. L'arbitrage egyptien-americain de 1931. *M. N. S. Pintor.* L'Egypte Contemp. Apr., 1933.

Asia. Transforming the middle east. *E. W. Polson Newman.* Fort. Rev. Sept., 1933.

———. The Assyrian unrest in Iraq. *R. L. Baker.* Current Hist. Oct., 1933.

———. The crisis in Iraq. *Sir Arnold Wilson.* Nine. Cent. Oct., 1933.

Boycott. International law and anti-Japanese boycott. *H. C. Wang.* Pacific Affairs. Aug.–Sept., 1933.

British Foreign Relations. Foreign policy and the empire: a Canadian view. *A. R. M. Lower.* Nine. Cent. Sept., 1933.

———. British policy in the Baltic. *Robert Machray.* Fort. Rev. Oct., 1933.

———. A British view of British foreign policy. *A. J. Toynbee.* Yale Rev. Autumn, 1933.

China. The sale of the Chinese Eastern Railway. *C. C. Wang.* For. Affairs. Oct., 1933.

Cosmopolitanism. World citizenship. *Carl Ross.* World Unity. Sept., Oct., 1933.

———. The problem of world unity: in quest of a myth. *H. D. Lasswell.* Int. Jour. Ethics. Oct., 1933.

Disarmament. La controverse sur l'armée de metier. *Civis.* Rev. Pol. et Parl. Sept., 1933.

Europe. Der Rhein unter europaischer Kontrolle? *L. Sternberg.* Deutsche Rundschau. May, 1933.

———. Le pacte a quatre. *L. de Montluc.* Das internationale Eherecht jugoslaviens in seinen Beziehungen zu anderen europaischen und aussereuropäischen Rechten. *D. M. Kauschansky.* Rev. Droit. Int. Sci. Dip. et Pol. Apr.–June, 1933.

———. Das italienische-franzosische Spiel. *A. Mendelssohn-Bartholdy.* Europäische Gespräche. May–June, 1933.

———. La petite entente. *R. J. Pierre.* Jour. Economistes. July, 1933.

———. L'Autriche et le péril Hitlérien. *R. d' Harcourt.* Correspondant. July 10, 1933.

———. Le sort de l'autriche. *M. Pernot.* La politique militaire de l'Allemagne. *J. Maupas.* Rev. Deux Mondes. July 1, Sept. 1, 1933.

———. La pacte à quatre et les relations franco-italiennes. *J. Valéry.* La Pologne devant Hitler. *J. Soltan.* Rev. de France. July 15, Aug. 15, 1933.

———. Frankreichs Entschluss zum Kriege. *A. Bach.* Berliner Monatshefte. Aug., 1933.

———. Le différend Serbo-Croate. *A. Nicolas.* Correspondant. Sept. 10, 1933.

———. Foreign affairs. *George Glasgow.* Contemp. Rev. Sept., 1933.

———. Poland's place in the sun. *Ronald Russell.* Germany and conservative opinion. *Z. Rowe,* National Rev. Sept., 1933.

———. The problem of Austria. *Elizabeth Wiskemann.* Nine. Cent. Sept., 1933.

———. The world's stake in Austria. *Devere Allen.* No. Am. Rev. Sept., 1933.

———. Redraw the map of Europe? *A. Guérard.* Austro-Hungarian coöperation. *F. A. Ogg.* The powers protect Austria. *Allan Nevins.* Nazi activity in northern Europe. *S. Hertzberg.* Current Hist. Sept., Oct., 1933.

———. A new Polish corridor. *C. Vollmer.* For. Affairs. Oct., 1933.

France. La propagande française à l'etranger. *A. Dariac.* Nouvelle Rev. May 1, 1933.

———. A Burbon diplomacy. *P. W. Wilson.* No. Am. Rev. Sept., 1933.

———. Contradictions de notre diplomatie. *Unsigned.* Rev. de France. July 1, 1933.

Germany. Revolutionary Germany and its foreign relations. *Rennie Smith.* Ourselves and the new Germany. *S. K. Ratcliffe.* Contemp. Rev. Aug., Sept., 1933.

———. Germany moves toward war. *Ernst Henri.* Living Age. Oct., 1933.

Inter-American Relations. The Caribbean situation: Nicaragua and Salvador. *Charles A. Thompson.* For. Policy Rep. Aug. 30, 1933.

———. American mediation in Cuba. Mexican foreign policy. *Charles W. Hackett.* Pan-American coöperation. *H. G. Doyle.* Current Hist. Sept., Oct., 1933.

International Conferences. The seventeenth session of the international labour conference. *Unsigned.* Int. Labour Rev. Sept., 1933.

———. Conference vs. lobby. *P. W. Wilson.* No. Am. Rev. Oct., 1933.

International Law. Les consuls en temps de guerre. *C. Rousseau.* Rev. Gén. Droit. Int. Pub. July–Aug., 1933.

———. The early development of the law of contraband of war. *P. C. Jessup* and *F. Deák*. Pol. Sci. Quar. Dec., 1932, Mar., Sept., 1933.

———. Belgian neutrality: its origin and interpretation. *William E. Lingelbach*. Am. Hist. Rev. Oct., 1933.

International Trade and Finance. Le programme de la conférence économique mondiale de Londres. *F. Eulenburg*. La position de la France à la conférence de Londres. *R. Maspétiol*. La rémonitisation de l'argent. *P. Hermite*. Note documentaire sur le problème monetaire et l'Espagne. *O. F. Banos*. Le maché monétaire et Londres et l'abandon d'étalon-or. *P. B. Vigreux*. L'or et le crédit au point de vue international. *C. O. Hardy*. Rev. Econ. Int. June, July, 1933.

———. Le rôle du tourisme dans l'économie nationale. *A. Mariotti*. La crise présente de l'étalon-or. *C. Bresciani-Turroni*. L'unification des nomenclatures douanières. Pour une politique du tourisme. *I. G. Levi*. L'Egypte Contemp. Mar., Apr., 1933.

———. International transactions of the United States. Conference Bd. Bull. Aug. 20, 1933.

———. The world economic conference: the result. *George Peel*. American foreign policy. *Frank Darvall*. For. Affairs. *George Glasgow*. Contemp. Rev. Aug., 1933.

———. L'empire du sterling et la conférence de Londres. *Y. M. Goblet*. Le commerce anglo-soviétique. *G. A. Nicolas*. Rev. Pol. et Parl. Aug., Sept., 1933.

———. Economic nationalism and world coöperation. *L. L. Lorwin*. Pacific Affairs. Aug.–Sept., 1933.

———: A five billion dollar customer. *David Ostrinsky*. Forum. Sept., 1933.

———: Autarchy—is it the economic road of the future? *Stuart Chase*. Five new empires. *Paul Hutchinson*. Scribner's. Sept., 1933.

———. Business and politics in the Persian Gulf: the story of the Wönckhauss firm. *E. Staley*. Pol. Sci. Quar. Sept., 1933.

———. Impressions of the world economic conference. *Symposium*. Empire Rev. Sept., 1933.

———. The world economic conference. *H. B. Lees-Smith* and *William Hard*. America and the Russian market. *M. M. Sherover*. Salvaging the London conference. *Allan Nevins*. National rivalry in shipping. *Arthur Warner*. Current Hist. Sept., Oct., 1933.

———. After the world economic conference. *Sir Walter Layton*. Salvaging the debts of eastern Europe. *Nicholas Roosevelt*. For. Affairs. Oct., 1933.

Japan. Japon et Mandchourie. *P. Lyautey*. Rev. Deux Mondes. May 1, 1933.

———. Japanese imperialism. *H. M. Vinacke*. Jour. Mod. Hist. Sept., 1933.

———. Militarism grips Japan. Warlike Japan: *Tyler Dennett*. Japan dominates the Far East. *W. Burton* and *William Martin*. Current Hist. Sept., Oct., 1933.

———. Economic consequences of Japan's Asiatic policy. *J. E. Orchard*. For. Affairs. Oct., 1933.

League of Nations. Les Asiatiques et la société des nations. *A. Duboscq*. Correspondant. May 25, 1933.

———. Nationalism and the league of nations today. *William E. Rappard*. Am. Pol. Sci. Rev. Oct., 1933.

Nationalism. Une nouvelle règlementation internationale de la question de nationalité. *A. M. Riad*. L'Egypte Contemp. Feb., 1933.

———. La principe des nationalités et son application à la question cypriote. *M. Dendias*. Rev. Droit Int. Sci. Dep. et Pol. Apr.–June, 1933.

Recognition. Recent policies of non-recogniion. *Chesney Hill*. Int. Concil. Oct., 1933.

Russia. Soviet diplomatic successes. *E. S. Furniss.* Current Hist. Sept., 1933.

———. The U.S.S.R. and disarmament. *E. A. Korovine.* Int. Concil. Sept., 1933.

———. The soviet power in Asia. *Bosworth Goldman.* Moscow's foreign relations. *Geo. Soloveytchik.* Nine. Cent. Sept., Oct., 1933.

———. Should we recognize soviet Russia? *Symposium.* Cong. Digest. Oct., 1933.

Sino-Japanese Conflict. Le conflit sino-japonaise en 1933. *M. Moncharville.* Rev. Pol. et Parl. Aug., 1933.

———. Manchurian diplomacy as an Asiatic problem. *J. V. A. MacMurray.* Japanese strategy in the Far East. *Peyton C. March,* Yale Rev. Autumn, 1933.

Traffic in Arms. The munitions industry in world affairs. *C. H. Abad.* Scribner's. Sept., 1933.

Treaties. Le projet de révision des traités. *A. Chaumeix.* Rev. Deux Mondes. May 1, 1933.

War and Peace. The attempt to define war. *Clyde Eagleton.* Int. Concil. June 1933.

———. La protection de la paix par le droit interne. *V. Pella.* Rev. Gén. Droit Int. Pub. July–Aug., 1933.

———. The realism of sea power. *C. C. Gill.* U. S. Naval Institute Proc. Sept., 1933.

———. An easy way to war. *H. Butler.* No. Am. Rev. Oct., 1933.

JURISPRUDENCE

Books

Aron, H. G. The probative law. Pp. 574. East River, Ct.: Georgic Press.

Armstrong, C. P. 600 runaway boys. Boston: Badger.

Berger, M. New York's untouchables. N. Y.: Covici, Friede.

Brecher, Ludovic. Contribution à l'étude du droit public romain. Pp. 144. Grenoble: Allier.

Clapper, R. Racketeering in Washington. N. Y.: L. C. Page.

Council on Legal Education. The lawyer and the public. Chicago: Univ. of Chicago.

Cox, O. S. The philosophy of Mr. Justice Cardozo. N. Y.: Macmillan.

Crime: its prevalance, causes, and costs. Pp. 23. Columbus: Am. Educ. Press.

Delcusy, Pierre. Le quasi-contrat en droit administratif. Pp. 162. Paris: Presses modernes.

Donnedieu de Vabres, H. Conférence (4e) internationale pour l'unification du droit pénal. Pp. 313. Paris: Recueil Sirey.

Ehrmann, H. B. The untried case: the Sacco-Vanzetti case and the Morelli gang. Pp. 252. N. Y.: Vanguard.

Fischer, A. Le concordat préventif dans le droit roumain. Pp. 202. Paris: R. Pichon.

French, P. H. The automobile compensation plan: a solution for some problems of court congestion. Pp. 262. N. Y.: Columbia Univ. Press.

Green, N. St. John. Essays and notes on the law of tort and crime. Pp. 220. Menasha, Wis.: Geo. Banta.

Harris, S. A. Appellate courts and appellate procedure in Ohio. Pp. 196. Baltimore: Johns Hopkins Press.

Hayes, A. G. Trials by prejudice. Pp. 369. N. Y.: Covici, Friede.

Kaplan, J. The reduction of the Babylonian Talmud. N. Y.: Bloch.

Kyrkos, E. A. Les causes de la criminalité juvénile. Pp. 62. Rennes: Impr. provinciale de l'ouest.

Lachaux, E. A. Le droit naturel et la doctrine. Pp. 296. Blida: F. Zaragozi.

Lacroix, Jean. L'appréciation de la légalité des règlements administratifs par les tribunaux judiciares. Pp. 157. Nancy: G. Thomas.

Modern theories of law. Pp. 229. London: Oxford.

Reticker, Ruth, and *Marshall, L. C.* Expenditures for the administration of justice in Ohio, 1930. Pp. 251. Baltimore: Johns Hopkins Press.

Smodlaka, S. J. La justice administrative en Yougoslavie. Pp. 191. Paris: Jouve.

Waite, John B. Criminal law in action. Pp. 352. N. Y.: Sears.

Articles

Administrative Law. Decadence du pouvoir judiciare et suprématie de l'administration en Angleterre. *P. Develle.* Rev. Pol. et Parl. Aug., 1933.

Brandeis. Mr. Justice Brandeis. *J. I. Ellmann.* Com. Law Jour. Aug., 1933.

Comparative Legal Systems. Introduction aux principes du droit pénal de la république des soviets. *D. Bourkser.* L'Egypte Contemp. Feb., 1933.

Crime. On so-called vagrancy. *O. Kinberg.* Jour. Crim. Law & Crim. July–Aug. 1933.

———. Toward a science of society. *Joseph Mayer.* Difficulties of statistical interpretation of case records of delinquency and crime. *A. E. Wood.* Am. Jour. Soc. Sept., 1933.

———. Our halting criminal statistics. *H. Best.* Does immigration increase crime. *D. R. Taft.* Social Forces. Oct., 1933.

Criminal Law. Criminal procedure in Canada. *William R. Riddell.* U. S. Law Rev. Sept., 1933.

———. Criminal law in action. I. The lawyers. II. The judges. *J. B. Waite.* Atlan. Mo. Sept., Oct., 1933.

Delinquency. Notes on juvenile delinquency. *M. Fortes.* Sociol. Rev. July, 1933.

———. Defective delinquents. *L. N. Robinson.* Jour. Crim. Law & Crim. July–Aug., 1933.

Judiciary. The judicial house that Jack built. *L. C. Marshall.* Reducing the cost of justice. *F. J. Loesch.* Nat. Mun. Rev. Sept., 1933.

Law. The ideal and the actual in law—forty years after. *Roscoe Pound.* George Washington Law Rev. May, 1933.

———. Law as a science. *G. W. Goble.* Scientific Mo. Sept., 1933.

Roman Law. Jurisprudence romaine en matière de droit civil. *C. Angelesco.* Rev. Gén. Droit Légis. et Juris. Apr.–June, 1933.

———. Rome et l'unité du droit dans l'eglise. *L. Celier.* Correspondant. July 10, 1933.

LOCAL GOVERNMENT

Books

Bromage, A. W. County government. Pp. 314. N. Y.: Sears.

Chatters, C. H., and *Others.* Municipal debt defaults. Pp. 55. Chicago: Pub. Admin. Service.

Dabrowsky, M. L'organisation intérieure et l'administration politique de la cité du Vatican. Pp. 159. Paris: L. Heuriot.

Heiges, R. E. The office of sheriff in the rural counties of Ohio. Pp. 125. Findlay, Ohio: Author.

Hofer, F. W., and *Others.* The jails of Virginia. Pp. 496. N. Y.: Appleton-Century.

Hunter, B. L. The evolution of municipal organization and administrative practice in Los Angeles. Pp. 304. Los Angeles: Parker, Stone & Baird.

Kaul, A. S. Kommunalpolitik und Presse. Pp. 112. Heidelberg.

Local government, 1932. London: Butterworth.

Matson, O. V. Local relief to dependents. Pp. 70. Ann Arbor, Mich.: Michigan local government series.

Model city charter. 4th ed. Pp. 106. N. Y. Nat. Munic. League.

Nestor, R. Le contrôle du préfet sur l'administration communale. Pp. 176. Paris: Presses Modernes.

Renaud, A. Les enterprises electriques et les collectivités. Pp. 519. Bordeaux: Y. Cadoret.

Suzzoni, A. Le commissaire de police: répertoire pratique à l'usage des fonctionnaires de la police administratif et judiciare. Pp. 560. Bourdeaux. Delmas.

Taft, C. P. City management: the Cincinnati experiment. N. Y.: Farrar & Rinehart.

Tharp, C. R. Control of local finance through taxpayers' associations and centralized administration. Pp. 84, Indianapolis. M. Ford.

Voss, H. S. Die Stellung des Burgermeisters. Cologne: Forschgsinst f. Sozial wissenschaften.

Willemse, C. C. A cop remembers. Pp. 344. N. Y. Dutton.

Articles

Administration. An unsolved problem in city government: political leadership and expert administration. *E. B. Schulz.* Southwestern Soc. Sci. Quar. Sept., 1933.

City Planning. Saving by planning. *F. Shurtleff, G. McAneny,* and *A. Bettman.* Nat. Mun. Rev. Oct., 1933.

———. Helping our youth to think in terms of regions. *K. B. Lohmann.* Roadside improvement. *A. C. P. I. Committee.* City Planning. Oct., 1933.

County Government. County reorganization stirs old dominion. *J. Heinrich.* Nat. Mun. Rev. Sept., 1933.

———. Principles of a model county government. *R. C. Atkinson.* Nat. Mun. Rev. Sept., 1933 (Supp.).

Debts. Municipal debt defaults: their prevention and adjustment. *C. H. Chatters.* Pub. Management. Aug., 1933.

Federal Relations. County jails and the federal government. *Nina Kinsella.* Jour. Crim. Law & Crim. July–Aug. 1933.

Finances. Relief for state subdivisions in financial distress. *Legislation Editor.* Columbia Law Rev. June, 1933.

———. Municipal finances: a constructive program. *C. E. Rightor.* Pub. Management. Aug., 1933.

———. Financial statistics for cities and villages in Minnesota—1933. *Unsiged.* Minn. Municipalities. Sept., 1933.

———. Distributing Horton act revenue in 1934. *C. V. Smazel.* Mich. Mun. Rev. Oct., 1934.

———. Remedies of the taxpayer against illegal grants of municipal franchises. *Note Editor.* Columbia Law Rev. June, 1933.

Governmental Units. Too many governments. *H. F. Byrd.* Bigger and better governments wanted. *Henry Morgenthau, Jr.* Nat. Mun. Rev. Sept., 1933.

Health. Health. *Unsigned.* Minn. Municipalities. Oct., 1933.

Housing. Strides toward low cost housing. *Coleman Woodbury.* Pub. Management. Aug., 1933.

———. War on the slums. *P. H. Massey.* Nine Cent. Oct., 1933.

Personnel. The municipal salary problem in Great Britain. *L. Hill.* Personnel administration in English local government. *Harvey Walker.* Pub. Management. Aug., Sept., 1933.

Sewage. Traverse City's sewage disposal plant. *W. R. Drury.* Mich. Mun. Rev. Sept., 1933.

Streets. The minor street. *H. S. Swan.* Jour. Land & Pub. Util. Econ. Aug., 1933.

Taxation. Analysis of tax rates for city and village government in Minnesota. *Unsigned.* Minn. Municipalities. Sept., 1933.

Traffic. Traffic crimes and criminals. *Curtis Billings.* Atlan. Mo. Oct., 1933.

Transportation. The taming of the taxicab. *J. J. George.* Pub. Util. Fort. Aug. 3, 1933.

———. India: the transit. *Sir Elliot Colvin.* Nine. Cent. Oct., 1933.

Urbanism. Why the city of medium size will be the city of the future. *E. H. Klaber.* Am. City. Sept., 1933.

———. The bases of urbanism in Texas. *C. M. Rosenquist* and *H. E. Moore.* Southwestern Soc. Sci. Quar. Sept., 1933.

———. New York and Chicago today. *Harrison Brown.* Fort. Rev. Sept., 1933.

———. The future of London. *A. Steel-Maitland.* Nine. Cent. Sept., 1933.

Utilities. The Los Angeles bureau of power and light: a critical summary. *M. G. Glaeser.* Municipally owned generating plants. *P. J. Raver.* Jour. Land & Pub. Util. Econ. Aug., 1933.

———. Solutions of the problems of rate-making for water service. *E. E. Bankson.* Am. City. Sept., 1933.

———. The menace of the municipal plant to the farmer. *L. O. Whitsell.* Pub. Util. Fort. Oct. 12, 1933.

Zoning. County zoning for agriculture, forestry, and recreation in Wisconsin. *W. A. Rowlands.* Jour. Land & Pub. Util. Econ. Aug., 1933.

———. Zoning in marginal areas. *G. S. Wehrwein.* City Planning. Oct., 1933.

POLITICAL THEORY AND MISCELLANEOUS

Books

Allport, F. H. Institutional behavior; essays toward a reinterpretation of contemporary social organization. Pp. 539. Chapel Hill, N. C.: Univ. of N. C.

Berdyaev, N. The end of our time. N. Y.: Sheed & Ward.

Binswanger, Paul. Die deutsche Klassik und der Staatsgedanke. Pp. 237. Berlin: Wegweiser Verl.

Chamberlain, John. Farewell to reform. 2d ed. N. Y.: John Day.

Denys, Odet. Les garanties de la liberté. Pp. 103. Paris: Recueil Sirey.

Hader, J. H., and *Lindeman, E. C.* Dynamic social research. N. Y.: Harcourt, Brace.

Hamilton, Mary A. Sidney and Beatrice Webb. Pp. 321. Boston: Houghton Mifflin.

Hicks, F. C. Materials and methods of legal research. 2d ed. Rochester: Lawyers Co-op.

Laidler, H. W., ed. Socialist planning and a socialized program. Pp. 255. N. Y.: Falcon Press.

Overstreet, H. A. We move in new directions. Pp. 284. N. Y.: Norton.

Page, Kirby. Individualism and socialism. N. Y.: Farrar & Rinehart.

Rosen, E. L. R. Entwicklungsgeschichte des Fascismus und seines Staatsgedankens. Berlin: C. Heymann.

Samson, L. Towards a united front. Pp. 288. N. Y.: Farrar & Rinehart.

Santayana, George. Some turns of thought in modern philosophy. Pp. 121. N. Y.: Scribner.

Articles

Balmés. La philosophie politique de Balmés. *J. Faurey.* Rev. Gén. Droit Légis. et Juris. Apr.–June, 1933.

Contemporary Politics. Europa. *Francesco Orestano.* Europäische Gespräche. May–June, 1933.

———. An old reporter looks at the mad-house world. *C. E. Russell.* Scribner's. Oct., 1933.

———. The "new spirit" and its critics. *Newton D. Baker.* For. Affairs. Oct., 1933.

———. The new middle ages. *John Cournos.* Va. Quar. Rev. Oct., 1933.

Personal Liberty. Des garanties nouvelles de la liberté individuelle. *J. Brissaud et J. Bechade-Labarthe.* Rev. Gén. Droit Légis. et Juris. Apr.–June, 1933.

Popular Government. The élite in a democratic society. *H. J. Laski.* Harper's. Sept., 1933.

———. Can democracy survive? *F. C. S. Schiller.* Nine. Cent. Oct., 1933.

Public Opinion. Presse und Politik in Deutschland während des Burenkrieges. *W. Treue.* Berliner Monatshefte. Aug., 1933.

Research Method. A technique for analyzing sociological data classified in non-quantitative groups. *S. A. Stouffer.* Am. Jour. Soc. Sept., 1933.

———. The uses and limitations of the statistical method in the social sciences. *Charles A. Ellwood.* Scientific Mo. Oct., 1933.

Revolution. What about the world revolution? *Louis Fischer.* Scribner's. Oct., 1933.

Socialism. Fourier et le socialisme. *A. Pinloche.* Nouvelle Rev. May 1 to Aug. 15, 1933.

———. Socialisme ou fascisme. *M. Déat.* Grande Rev. Aug., 1933.

Social Planning. Society without social science. *T. Swann Harding.* World Unity. Oct., 1933.

GOVERNMENT PUBLICATIONS

MILES O. PRICE
Law Library, Columbia University

AMERICAN

UNITED STATES

The recent striking innovations in the federal government are reflected faithfully in its official publications, and one examining these documents notices many new issuing agencies, such as the Agricultural adjustment bureau, Emergency conservation work, Farm credit administration, Federal emergency administration of public works, Federal emergency relief administration, National recovery administration, etc.; also that many of the President's executive orders have to do with these same agencies. The various publications of the Agricultural adjustment administration and the National recovery administration particularly will repay careful study by those interested in constitutional government. These consist for the most part of marketing agreements, licenses, codes, etc., with various handbooks explaining the operation and application of the laws involved. These are too numerous to list

separately, but anyone interested may secure printed information on almost any topic connected with these new agencies, usually free, by applying directly to them at Washington.

Civil service commission. Brief history of United States civil service. Washington, Govt. Ptg. Off., April, 1933. 27 p.

Congress. House of representatives. Elmer A. Lewis, superintendent of the document room, has compiled and collected the laws on civil service preference, the Federal reserve act of 1913, the Reconstruction finance corporation, and the Veterans' administration (each subject a separate publication), in handy pamphlet form.

Senate, Judiciary committee. Equal rights for men and women, hearing before subcommittee, 73rd Cong., 1st Sess., on S. J. Res 1, proposing amendment to Constitution relative to equal rights for men and women, May 27, 1933. Washington; Govt. Ptg. Off., 1933. 32 p.

House of representatives. Special committee appointed to investigate government competition with private enterprise.
Government competition with private enterprise; report of the special committee . . . pursuant to H. Res. 235. Washington: Govt. Ptg. Off., 1933. 253 p.

State department.
Final report of commissioner of the Tripartite claims commission, United States, Austria and Hungary, and decisions and opinions, October 15, 1929. Washington: Govt. Ptg. Off., 1933. 202 p.

STATE AND TERRITORIAL

In examining the various state publications, it is noticeable that many states are engaged, or have been, in an intensive study of their governmental organization, in an effort to simplify it, to eliminate expensive duplication, etc. Several publications resulting from these efforts have been listed in earlier issues of the REVIEW, and more are included in this one.

ARIZONA

Legislature. Senate. Special committee to study costs of government. Report of special legislative committee appointed by the president of the tenth Senate, Arizona state legislature, to study costs of government and make recommendations. Phoenix, 1933. 15 p.

CALIFORNIA

Constitution of the state of California annotated 1933. Comp. by Paul Mason . . . Sacramento, 1933. 2301 p.

DELAWARE

Governor's advisory commission on the study of county government and taxation. County government and taxation in Delaware, a report to the governor . . . Dover, 1933. 80 p.

ILLINOIS

University of Illinois, Urbana. Some American proposals for war debt revision, edited by E. L. Bogart. Urbana, 1933. 44 p. (Bureau of business research. Bulletin no. 47.)

MISSOURI

Historical society, Columbia. Debates of the Missouri constitutional convention

of 1875, edited by Isidor Loeb and Floyd C. Shoemaker, Vol. II. Columbia, 1932 (c. 1933), 518 p.

NEW HAMPSHIRE

Report on a survey of the organization and administration of the state, county, and town governments of New Hampshire, . . . by the Institute for Government Research of the Brookings Institution. Concord, Rumford Press, 1933. 633 p.

NEW YORK

State library. Digest of laws of the various states with respect to the taxation of chain stores, prepared by William E. Hannan, legislative reference librarian. Albany, 1932. 15 p. (typewritten).

NORTH DAKOTA

Governmental survey commission. Report . . . pursuant to chapter 210 of the session laws of 1931. Bismarck, 1933. 90 p.

OHIO

Hughes' manual of United States parliamentary practice, by Edward Wakefield Hughes, state parliamentarian . . . Columbus, 1932 (c. 1933). 373 p.

TEXAS

Legislature. Joint legislative committee on organization and economy. (Several parts of this survey have been noted in earlier issues of this list.) Part IV. The judiciary and law officers. Austin, 1933. 42 p. Part V. Commerce, industry, agriculture, conservation, and parks; the agencies involved. Austin, 1933. 160 p. Part XII. Education; the University of Texas and its branches, the College of Industrial Arts, the Texas College of Arts and Industries, and the Texas Technological College. Texas, 1933. 353 p.

Senate committee to investigate certain gross irregularities of state government. Final report and recommendations . . . Austin, 1933. 96 p.

INTERSTATE LEGISLATIVE ASSEMBLY

Official proceedings of the first interstate legislative assembly, Washington, D. C., February 3 and 4, 1933, called by the American Legislators' Association to consider the problem of conflicting taxation. Complete transcript, with the opening address by the President of the United States, and a statement by the President-elect. Washington: U. S. Daily, 1933. 24 p.

FOREIGN AND INTERNATIONAL

GREAT BRITAIN

Proposals for Indian constitutional reform. Lond: H. M. S. O., 1933. 127 p. Cmd. 4268.

House of lords, Joint committee on Indian constitutional reform. Minutes of evidence (unrevised) July 31–August 3, 1933. Records (unrevised) August 7–August 15, 1933.

MEXICO

La crisis económica en México y la nueva legislatión sobe la moneda y el crédito. Mexico, 1933. Vol. 1.

Publicaciones del archivo general de la nacion. El segundo conde de Revilla Gigedo. (juicio de residencia) Mexico, Talleres Graficos de la Nacion, 1933. 494 p.

RUSSIA

The case of N. P. Vitvitsky . . . (and others) charged with wrecking activities at power stations in the Soviet Union. Heard before the special session of the Supreme court of the U.S.S.R. in Moscow, April 12–19, 1933. Translation of the

official verbatim report. Moscow, State law publishing house, 1933. 3v. (This is an English translation of the verbatim report of the famous sabotage trial, involving the Englishmen MacDonald, Monkhouse, and Thornton.)

CONFERENCE DES REPRÉSENTANTS des gouvernements des états agricoles de l'Europe Centrale et Orientale. Bucarest, 1933.

LEAGUE OF NATIONS

Supplementary report on the work of the League since the thirteenth session of the assembly. Geneva, September, 1933. 69 p. Official No. : A.6 (a) 1933.

Records of the conference for the reduction and limitation of armaments. Series B. Minutes of the general commission. Vol. II. December 14, 1932–June 29, 1933. Geneva, 1933. IX–XIX, 207–643 p.

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